

## Senate, No. 2855

[Senate, July 29, 2008 – Text of the Senate amendment, printed as amended, to the House Bill providing for the preservation and improvement of land, parks, and clean energy in the commonwealth (House, No. 5005)].



## The Commonwealth of Massachusetts

IN THE YEAR OF TWO THOUSAND AND SEVEN

SECTION 1. To provide for a capital outlay program of improvement and preservation of the environmental assets of the commonwealth, the sums set forth in section 2, for the several purposes and subject to the conditions specified in this act, are hereby made available, subject to the law regulating the disbursement of public funds, which sums are in addition to amounts previously appropriated for such purposes.

### SECTION 2.

#### SECRETARY OF THE COMMONWEALTH

##### *Massachusetts Historical Commission*

0526-2010 For a grant program to units of municipal government and to private, nonprofit organizations for the preservation of historic properties, landscapes and sites; provided, that such funds shall be awarded in accordance with regulations promulgated by the state secretary, chairman of the Massachusetts historical commission; provided further, not less than \$10,000,000 shall be expended in cities with more than 40,000 inhabitants where: (1) the unemployment rate is at least 1.5 per cent higher than the statewide average; or (2) the median income of the city is 80% or less of the state median income; provided further, that not less than \$5 million shall be

expended on projects in cities in which both  
criteria are applicable; and provided further, that  
the data used for these awards shall be based on  
the criteria existing on January 1, 2009 .....\$30,000,000

**EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE**

*Office of the Secretary*

0620-1000	For the water pollution abatement trust established in section 2 of chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund established in section 2L of chapter 29 of the General Laws for application by the trust to the purposes specified in section 5 of said chapter 29C, any portion of which may be used as a matching grant by the commonwealth to federal capitalization grants received under Title VI of the federal Clean Water Act .....	\$50,000,000
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0620-2000	For the water pollution abatement trust established in section 2 of chapter 29C of the General Laws for deposit in the Drinking Water Revolving Fund established in section 2QQ of chapter 29 of the General Laws for application by the trust to the purposes specified in section 18 of said chapter 29C, any portion of which may be used as a matching grant by the commonwealth to federal capitalization grants received under the federal Safe Drinking Water Act.....	\$25,000,000
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1100-2500	For improvements to coastal facilities in designated and non-designated port areas, including those defined in chapter 21F of the General Laws, 301 CMR 25, section 63 of chapter 91 of the General Laws and 312 CMR 2.00;
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provided, that improvements may include, but shall not be limited to, construction, reconstruction, rehabilitation, expanding, replacing, and improving public facilities, piers, wharves, boardwalks, berths, bulkheads, and other harbor and waterfront facilities; provided further, that not less than \$2,500,000 shall be expended for the Bellegarde Boathouse in the city of Lowell; provided further, that \$3,500,000 shall be expended for the redevelopment of the waterfront in the city of Beverly; provided further, that not more than \$10,000,000 shall be expended for a grant to the New England Aquarium for the renovation of the public space on Central Wharf in the city of Boston; provided further that \$2,500,000 shall be expended for a grant to the Boston Children's Museum for renovation of the public open space and interactive park known as Children's Wharf Landing in the city of Boston; provided further, that not less than \$250,000 shall be expended for the development of the Jones River Landing Environmental Heritage Center in the town of Kingston; provided further, that \$5,000,000 shall be expended for the construction of T-wharf in the town of Plymouth; provided further, that not less than \$1,000,000 shall be expended for the environmental remediation of the city pier in the city of Fall River; provided further, that \$40,000 shall be expended for the dock at Mary O'Malley Park in the city of Chelsea including, but not limited to, the engineering, design, construction and rebuilding of the dock; and provided further, that not less than \$25,000,000 shall be expended on capital improvements to the state pier facility in

93 the city of New Bedford, which improvements  
94 shall be made to further economic development  
95 within the port of New Bedford; projects may  
96 include, but shall not be limited to, a multi-use  
97 facility for water dependent cargo, commercial  
98 fishing improvements, commercial marine  
99 transportation improvements, marine educational  
100 facilities, a fresh produce and fish market, and  
101 capital improvements related to tourism, public  
102 recreation and other economic development within  
103 the port of New Bedford.. .....\$113,680,000

104

105 *Division of Capital Asset Management and Maintenance*

106

107 1102-5000 For the modernization of the Senator William X.  
108 Wall experimental station in the city of Lawrence  
109 including, but not limited to, the repair and  
110 rehabilitation of the building and grounds .....\$8,000,000

111

112 1102-6000 For the installation of technologies, equipment and  
113 materials to reduce energy and water consumption  
114 at either existing or new state facilities and to  
115 increase the amount of installed renewable energy  
116 that result in actual energy and water savings  
117 above the minimum standards established by  
118 Executive Order No. 484 and the “Massachusetts  
119 LEED Plus” standard, described in Administration  
120 and Finance Bulletin 12; provided, that the division  
121 shall consult with the executive office of energy  
122 and environmental affairs and the division of  
123 energy resources in developing project priorities;  
124 and provided further, that funding may be used to  
125 supplement technical and feasibility analyses, fund  
126 incremental costs of equipment or materials, and

127                   conduct evaluation analyses of projects to  
128                   determine their effectiveness and replicability at  
129                   additional facilities.....\$30,000,000

130

131    1102-7000    For the rehabilitation of the division of fish and  
132                   wildlife Cronin Field Headquarters Building and the  
133                   construction of additional adjacent buildings in the  
134                   town of Westborough, including but not limited to,  
135                   new construction, repair and rehabilitation of  
136                   buildings and grounds .....\$25,000,000

137

138

139                   **EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.**

140                                   *Office of the Secretary.*

141

142    2000-7013 For the local acquisition for natural diversity (LAND)  
143                   grant program, formerly the self-help program, to  
144                   provide assistance to cities and towns in the  
145                   acquisition of conservation land under section 11  
146                   of chapter 132A of the General Laws, Article 97 of  
147                   the Amendments to the Constitution and any  
148                   regulations adopted by the secretary of energy and  
149                   environmental affairs to effect this act or section  
150                   11; provided, that notwithstanding any general or  
151                   special law to the contrary, the title to any land  
152                   acquired with funds authorized in this item which  
153                   is no longer used under said section 11 as open  
154                   space shall revert to the commonwealth to be  
155                   managed as open space .....\$36,000,000

156

157    2000-7014    For the park acquisition and renovation for  
158                   communities (PARC) grant program, formerly the  
159                   urban self-help program, to provide assistance to  
160                   cities and towns in the acquisition of land,

assessment and remediation of brownfield and  
greyfield sites and demolition on project sites and  
construction and restoration of parks and recreation  
areas under Article 97 of the Amendments to the  
Constitution and any regulations adopted by the  
secretary of energy and environmental affairs;  
provided, that notwithstanding any general or  
special law to the contrary, the title to any land  
acquired with the funds authorized in this item  
which is no longer used as open space shall revert  
to the commonwealth to be managed as open  
space; provided further, that not less than \$250,000  
shall be expended for improvements to Vietnam  
Veterans Park in Billerica; provided further, that  
not less than \$191,800 shall be expended for  
maintenance of and improvements to the Vietnam  
Veterans Memorial in Green Hill Park in  
Worcester; provided further, that not less than  
\$800,000 shall be expended for repairs to a historic  
structure in Hardwick; provided further, that not  
less than \$500,000 shall be expended for  
improvements to Mapleway Park in Wakefield;  
provided further, that not less than \$275,000 shall  
be expended for improvement to the Lake Street  
water resource and recreation area in Shrewsbury;  
and provided further, that not less than \$250,000  
shall be expended for improvements to Prospect  
Park walking trail in Shrewsbury; provided further,  
that not less than \$100,000 shall be expended for  
the Nashua River Rail Trail in Ayer, Groton,  
Pepperell and Dunstable; provided further, that not  
less than \$1,000,000 shall be expended for repairs  
to the footbridge in historic Island Grove Park in  
the town of Abington; provided further, that not

less than \$300,000 shall be expended for the rehabilitation, improvement and enhancement of city parks in Methuen; provided further, that not less than \$50,000 shall be expended for renovations and upgrades to public parks in Lakeville; provided further, that not less than \$50,000 shall be expended for renovations and upgrades to public parks in Freetown; provided further that not less than \$800,000 shall be expended for a recreation grant in the town of Saugus, including Stocker Park and Belmonte Middle School soccer, track, tennis and baseball complex; provided further, that not less than \$200,000 shall be expended to the Rehoboth Agricultural and Natural Resources Preservation Council for the preservation and protection of critical environmental resources and open space in Rehoboth; provided further that \$50,000 for the town of Dracut to purchase the Canney Farm for the construction of a public park; provided further, that \$500,000 shall be expended for drainage improvements on Frye Road in the City of Methuen; provided further, that \$1,200,000 be expended for urban park restoration within the Emerald Necklace portion of the city of Boston; provided further, that not less than \$2,000,000 shall be expended for the design and reconstruction of Oxford park in the city of Lawrence; provided further, that \$50,000 shall be expended for work on public playing fields in the town of Southampton; provided further, that not less than \$150,000 shall be expended for improvements to the town beach in the town of Millis; provided further, that not less than \$150,000 shall be expended for improvements

229 to Farm Pond in the town of Sherborn; provided  
230 further, that not less than \$500,000 shall be  
231 expended for the revitalization of Memorial Park  
232 in the city of Taunton, which shall include, but not  
233 be limited to, landscaping, pond dredging, park  
234 benches and playground equipment; provided  
235 further, that not less than \$300,000 shall be  
236 expended for improvements to the Bear Hole  
237 Watershed in the city of West Springfield;  
238 provided further, that not less than \$500,000 shall  
239 be expended for maintenance of the dike system in  
240 the city of West Springfield; provided further, that  
241 not less than \$150,000 shall be expended for  
242 wetland restoration and drainage repair on Mytle  
243 Street in the town of Millis; provided further, that  
244 not less than \$217,000 shall be expended for  
245 renovation of the public tennis courts in  
246 Wakefield; and provided further, that not less than  
247 \$735,000 shall be expended for the Hull Land  
248 Conservation Trust for the purposes of protecting  
249 wildlife and providing public access to  
250 conservation and passive recreation areas in the  
251 town of Hull.....\$55,000,000

252  
253 2000-7015 For the acquisition, development and construction  
254 of parks in urban neighborhoods currently  
255 underserved with parks consistent with attainment  
256 of environmental equity, including planning related  
257 thereto; completion of urban forestry and tree  
258 planting projects, assessment and remediation of  
259 brownfield and greyfield sites intended for reuse as  
260 parks, drafting of architectural renderings,  
261 construction documents, and other technical  
262 documents necessary for parks construction,



263 acquisition of land or interests in land for the  
264 creation of parks under Article 97 of the  
265 Amendments to the Constitution and construction  
266 of parks and all related facilities; provided, that the  
267 secretary of energy and environmental affairs may  
268 issue grants to public and non-public entities to  
269 implement these programs.....\$25,000,000  
270

271 2000-7016 For the conservation partnership grant program to  
272 assist not-for-profit corporations in acquiring  
273 interests in lands suitable for purposes of  
274 conservation or recreation; provided, that the  
275 corporation shall be formed for one of the purposes  
276 described in section 4 of chapter 180 of the  
277 General Laws and the corporation shall be  
278 considered an exempt organization within the  
279 meaning of section 501(c)(3) of the Internal  
280 Revenue Code; provided further, that grant funds  
281 shall be expended to reimburse an eligible  
282 corporation for money expended by it in  
283 establishing a project approved by the secretary of  
284 energy and environmental affairs under this  
285 program in an amount that the secretary shall  
286 determine to be equitable in consideration of  
287 anticipated benefits from the project, but in no  
288 event shall the amount of the reimbursement  
289 exceed 50 per cent of the cost of the project;  
290 provided further, that no reimbursement shall be  
291 made under this item to a corporation unless a  
292 project application is filed by the corporation with  
293 the secretary setting forth the plans and  
294 information that the secretary may require and  
295 approved by the secretary, nor until the corporation  
296 shall have certified, in a manner approved by the

297 secretary, its ability to provide an amount equal to  
298 the total cost of the project, nor until the project  
299 has been completed, to the satisfaction of the  
300 secretary, in accordance with the approved plans;  
301 provided further, that all projects shall include the  
302 grant by the corporation of an appropriate  
303 perpetual conservation restriction, within the  
304 meaning of sections 31 and 32 of chapter 184 of  
305 the General Laws, to the city or town in which the  
306 project is located, to be managed by either its  
307 conservation or its recreation commission, or a  
308 state agency, or both; provided further, that all  
309 projects shall provide appropriate public access as  
310 determined by the secretary; and provided further,  
311 that the secretary may adopt rules and regulations  
312 to carry out this item; provided that not less than  
313 \$500,000 shall be expended for the Winnekenni  
314 Castle Forest Management Study in  
315 Haverhill.....\$7,000,000

316  
317 2000-7018 For the study, protection and preservation,  
318 including cultural resources, public access,  
319 development, and enhancement activities for the  
320 commonwealth's coastal resources within coastal  
321 watersheds and offshore oceans including, but not  
322 limited to implementation, equipment, and projects  
323 related to ocean management and planning,  
324 seafloor mapping, climate change adaptation and  
325 coastal shoreline and floodplain management,  
326 coastal and ocean water quality; provided, that a  
327 program of wetlands and other aquatic habitat  
328 restoration in the Massachusetts coastal zone and  
329 watersheds shall be implemented from this item,  
330 with functions including but not limited to

infrastructure repair and replacement to achieve restoration benefits, coordination with public and non-public entities, monitoring, research, planning, federal matching grants, assessment, technical assistance, mapping and implementation of improvements to degraded wetland areas; provided further, that grants may be awarded to public and non-public entities for the purposes of this item; provided further, that a program of coastal pollutant remediation grants may be awarded to cities and towns to construct, reconstruct, and otherwise improve boat pump-out facilities and stormwater drainage facilities along roads, highways and bridges within the watersheds of the Massachusetts coastal zone; provided further, that a program of coastal non-point source pollution grants may be awarded to public and non-public entities to identify and implement solutions to control or eliminate non-point source pollution in coastal watersheds; and provided further, that all grants under this item shall be subject to rules and regulations established by the secretary of energy and environmental affairs to govern the application process and disbursement of grant funds under this item; provided further, that not less than \$2,000,000 shall be expended for wastewater improvements near Hyannis Harbor in Barnstable; provided further, that not less than \$10,000,000 to acquire land in the Waquoit Bay recharge area by the department of conservation and recreation; provided further, that not less than \$2,000,000 shall be expended for Connecticut River combined sewer overflow remediation in the cities of Springfield, Chicopee, Holyoke and; provided

365 further, that not less than \$350,000 shall be  
366 expended for a wastewater management study and  
367 environmental impact report in Acushnet; provided  
368 further, that not less than \$2,000,000 shall be  
369 expended to assist Gloucester with the costs of  
370 sewer collection and treatment infrastructure to  
371 improve coastal water quality and comply with  
372 federal and state regulatory and judicial mandates;  
373 provided further, that not less than \$500,000 shall  
374 be expended on beach nourishment for Chapoquoit  
375 Beach and Woodneck Beach, and Menauhant  
376 Beach in the town of Falmouth; provided further,  
377 that not less than \$3,500,000 shall be expended for  
378 infrastructure improvements to address water  
379 quality decline due to failing wells in Medway;  
380 provided further, that \$3,900,000 shall be  
381 expended for stormwater drainage improvements  
382 in Framingham; provided further, that an amount  
383 not less than \$75,000 shall be expended by the  
384 Provincetown Center for Coastal Studies for the  
385 study of the coastal geology and related matters of  
386 the barrier beach in Orleans and Chatham known  
387 as North Beach; and provided further, that not less  
388 than \$3,000,000 shall be expended to the town of  
389 Barnstable for a matching grant to purchase a  
390 parcel of land referred to as Freezer Point in  
391 Barnstable Harbor  
392 .....\$40,075,000

393  
394 2000-7022 For the programs and activities of the office of  
395 geographical and environmental information in  
396 support of community preservation and other  
397 programs; provided, that such funds may be  
398 allocated by the secretary of energy and

399 environmental affairs to the department of  
400 conservation and recreation, the department of fish  
401 and game, the department of agricultural resources,  
402 and the department of environmental protection;  
403 provided further, that funds may be expended from  
404 this item for the costs of services essential to such  
405 projects rendered by employees or by consultants;  
406 provided further, that the secretary may provide  
407 grants to, including but not limited to,  
408 municipalities, regional planning agencies, and  
409 other public and non-public entities to implement  
410 said programs; provided further, that funding may  
411 be expended for the creation of inventories of  
412 species and mapping of areas important for  
413 biological conservation and ecosystem protection;  
414 provided further, that priority shall be given to the  
415 development, from existing source materials where  
416 possible, of the following data bases: wetlands,  
417 soils, public water supply protection areas, land  
418 records, economic growth areas, transportation  
419 development, aquifer recharge areas, floodways,  
420 vernal pools, endangered and threatened species  
421 and species of special concern, public lands,  
422 recreation areas, zoning, hazardous and toxic waste  
423 sites and historical and cultural resources; and  
424 provided further, that such efforts shall be  
425 coordinated to the maximum extent feasible with  
426 federal, state, and local governments, regulated  
427 utilities and conservancy efforts .....\$13,000,000

428

429 2000-7023 For improvements and replacements to the  
430 infrastructure and holdings of the executive office  
431 of energy and environmental affairs; provided, that  
432 these improvements or replacements may include,

but shall not be limited to, buildings, equipment, vehicles and communication and technology equipment; provided, however, that any expenditures for communication and technology equipment under this item shall be subject to the approval of the chief information officer of the commonwealth ; and provided that not less than \$250,000 shall be provided to the department of environmental protection, in conjunction with the executive office of transportation, for to conducting an investigation and make recommendations on the best practices to reduce the emission of pollutants and achieve reductions in particulate matter emissions from state and municipally-owned and contracted diesel-powered vehicles and study the costs associated with implementing the use of the best available retrofit technology on diesel-powered vehicles owned or operated by or on behalf of, or leased by or operating under contract with a municipality or state agency or state or regional public authority; provided further that the department of environmental protection shall report on its findings and the information contained in this report shall include, but not be limited to, for each municipal or state agency and public authority: (1) the total number of diesel fuel-powered motor vehicles owned or operated by such agency and authority; (2) the number of such motor vehicles that were powered by ultra low sulfur diesel fuel; (3) the total number of diesel fuel-powered motor vehicles owned or operated by such agency and authority having a gross vehicle weight rating of more than 14,000 pounds; (4) the number of such

467 vehicles that utilized the best available retrofit  
468 technology, including a breakdown by motor  
469 vehicle model, engine year and the type of  
470 technology used for each vehicle; and (5) the  
471 number of such motor vehicles that are equipped  
472 with an engine certified to the applicable 2007 US  
473 EPA standard for particulate matter as set forth in  
474 Section 86.007-11 of Title 40 of the Code of  
475 Federal Regulations or to any subsequent US EPA  
476 standard for particulate matter; provided further  
477 that this report shall be filed with the clerks of the  
478 house of representatives and the senate, the joint  
479 committee on environment, natural resources, and  
480 agriculture, the joint committee on transportation,  
481 and the joint committee on economic development  
482 and emerging technologies, not later than  
483 December 31, 2009, and an interim report shall be  
484 filed not later than April 1, 2009.....\$2,000,000

485  
486 2000-7024 For the restoration of the commonwealth's natural  
487 resources held in trust for the benefit of the public  
488 by the secretary of energy and environmental  
489 affairs as trustee of the resources that have been  
490 lost, destroyed, or injured by the discharge of oil or  
491 other releases of hazardous materials and  
492 substances; provided, that natural resources shall  
493 include land, fish, wildlife, biota, air, drinking  
494 water supplies, wetlands, and other resources  
495 generally belonging to, managed by, held in trust  
496 by, or otherwise controlled by the trustee; provided  
497 further, that the secretary, as trustee of the  
498 commonwealth's natural resources, shall conduct  
499 the necessary injury and damage assessment  
500 studies to determine the extent of injury to the

501 resources and the required compensation by  
502 responsible parties to restore, replace, or acquire  
503 the equivalent of these injured resources; provided  
504 further, that not less than \$1,600,000 shall be  
505 expended for wetland restoration and water quality  
506 projects in Woburn; provided further, that the  
507 secretary may also allocate funds if necessary for  
508 the costs of personnel; provided further, that these  
509 activities shall be conducted under section 5 of  
510 chapter 21E of the General Laws, sections 23 to  
511 27, inclusive, of chapter 130 of the General Laws,  
512 section 42 of chapter 131 of the General Laws, 42  
513 U.S.C. section 9607 (f), 33 U.S.C. section 1321, 33  
514 U.S.C. section 2706 or any other relevant and  
515 appropriate authority.....\$3,100,000

516

517 2000-7025 For integrated energy and environmental projects  
518 to provide for appropriate conservation, protection,  
519 restoration, management, and best use of air,  
520 energy, water and land resources; to provide for  
521 the propagation, protection, control and  
522 management of fish, other aquatic life, wildlife,  
523 and endangered species, to optimize and preserve  
524 environmental quality and public health, to  
525 encourage environmental equity; to provide for the  
526 assessment, prevention and abatement of water,  
527 land, air, noise, and other pollution or  
528 environmental degradation, to provide for  
529 mitigation and adaptation to climate change, to  
530 reduce greenhouse gas emissions and other  
531 environmental impacts at state agencies,  
532 authorities, and public colleges and universities  
533 through the Leading by Example Program, to  
534 provide geographic information systems and data,



including but not limited to conservation and development plans, provided through the office of geographic and environmental information under section 4B of chapter 21A of the General Laws, to collect, store and provide geographic, energy, and environmental and other information, to provide environmental, land use, water budgets and other trends and conditions, to stimulate increased public and private sector investment in clean energy and related enterprises, institutions, and projects in the commonwealth, including providing economic assistance for the development of these enterprises and non-financial assistance for their development, permitting, and construction and to otherwise provide technical and financial assistance, including the promotion of alternative energy resources and energy efficiency in support of policy initiatives; provided, that the secretary may allocate funds for the purposes of this item; provided further, that not less than \$100,000 shall be expended for the construction of a wind turbine to be located at the McGlynn Elementary and Middle Schools in Medford; provided further, that \$600,000 shall be expended for the town of Falmouth to meet the cost of the contract and construction services for the 1.5 megawatt wind turbine at their wastewater treatment facility; provided further, that \$100,000 shall be expended for a feasibility study, design or construction of a wind turbine or other renewable energy generating source in the town of Braintree for the purpose of providing power to a new tri-town water treatment plant under the care, custody and control of the Tri-Town Board of Water Commissioners of

569 Braintree, Holbrook and Randolph; provided  
570 further, that not less than \$1,000,000 shall be  
571 expended on the development of a Buzzards Bay  
572 Center in the Whaling National Historical Park;  
573 provided further, that notwithstanding any general  
574 or special law or rule or regulation to the contrary,  
575 \$3,000,000 shall be expended for a green school  
576 environment grant in the town of Saugus;  
577 provided, however, that said grant shall only be  
578 expended if the town of Saugus is certified to  
579 receive state aid to public libraries by the board of  
580 library commissioners; provided further that not  
581 less than \$800,000 shall be expended for the  
582 construction of a water tower in Templeton;  
583 provided further, that not less than \$400,000 shall  
584 be expended for the restoration of wells located at  
585 the former Dever State School in the city of  
586 Taunton, which shall include, but not be limited to,  
587 the construction of replacement wells and  
588 installation of necessary equipment to maintain the  
589 wells for use a regional water supply; provided  
590 further, that \$550,000 shall be expended for a clean  
591 air aging boiler grant in the town of Saugus; and  
592 provided further, that grants may be awarded to  
593 public or non-public entities to carry out this  
594 item.....\$31,650,000

595

596 *Department of Environmental Protection.*

597 2200-7011 For the purposes of water quality monitoring,  
598 assessment and protection as required to meet the  
599 legislative and regulatory requirements of the  
600 Rivers Protection Act, the federal and state Clean  
601 Water Acts and the Massachusetts Wetlands  
602 Protection Act and to provide for integrated energy

603 and environmental projects to optimize and  
604 preserve environmental quality and public health  
605 and provide for appropriate protection, restoration,  
606 management, and best use of air, energy, water and  
607 land resources; provided, that this funding, may  
608 include, but not be limited to, studies of water  
609 quality, the development of wetlands conservancy  
610 and tidelands Geographic Information System  
611 (GIS) maps, the implementation of water quality  
612 monitoring devices, the collection and analysis of  
613 water quality samples, the development of water  
614 quality analyses known as Total Maximum Daily  
615 Loads (TMDL's), and projects related to non-point  
616 and point sources of water pollution, and the  
617 wetlands circuit rider program; provided further,  
618 that not less than \$1,000,000 shall be expended for  
619 sewer extensions in the Spencer/Tuttle /Flint area  
620 of the town of Acton, otherwise referred to as Area  
621 10 in the town's CWRMP; provided further, that  
622 not less than \$1,000,000 shall be expended for  
623 separation of sewer and storm drains in Palmer;  
624 and provided further, that not less than \$200,000  
625 shall be expended for the identification and  
626 remediation of pollution sources for the Cole and  
627 Lees rivers;.....\$15,200,000

628  
629 2200-7012 For operation and maintenance of the department  
630 of environmental protection's statewide air  
631 monitoring network including, but not limited to,  
632 photochemical assessment monitoring stations,  
633 small particulate monitoring and air toxins  
634 monitoring; and for the upgrade of equipment to  
635 comply with federal requirements; provided, that  
636 \$350,000 shall be expended for air quality

637		monitoring, odor mitigation, and the establishment	
638		of an airborne odor and toxics mitigation strategy	
639		in the city of Northampton and town of	
640		Easthampton in neighborhoods impacted by the	
641		regional solid waste landfill, located in the city of	
642		Northampton .....	\$4,850,000
643			
644	2200-7013	For the purposes of discovery, assessment,	
645		containment, clean-up, and closure of existing or	
646		closed solid waste facilities causing or threatening	
647		to cause pollution as authorized by section 4 of	
648		chapter 21H of the General Laws; provided,	
649		however, that funds authorized in this item shall be	
650		used for the purposes of maintaining a composting	
651		and recycling program consistent with the	
652		statewide Solid Waste Master Plan authorized by	
653		section 21 of chapter 16 of the General Laws;	
654		provided further, that \$2,000,000 shall be	
655		expended for the monitoring, mitigation,	
656		inspection and investigation of the impacts of the	
657		regional solid waste landfill in the city of	
658		Northampton on groundwater, public and private	
659		water supply wells and the Barnes Sole Source	
660		Aquifer, .....	\$13,000,000
661			
662	2200-7014	For information systems development and	
663		information technology equipment at the	
664		department of environmental protection to upgrade	
665		the first-generation “eDEP” on-line	
666		permitting/compliance reporting system to meet	
667		current business standards and the best competitive	
668		practices for states, to develop and implement on-	
669		line file reviews and permit guides, expand internet	
670		publishing of environmental reports and	

671		information, and improve system availability and	
672		response times for the regulated community and	
673		the public; provided, however, that any	
674		expenditures under this item shall be subject to the	
675		approval of the chief information officer of the	
676		commonwealth.....	\$20,000,000
677			
678	2200-7015	For the assessment, containment, cleanup, control,	
679		removal of or response actions concerning oil or	
680		hazardous materials or for any other actions	
681		necessary to implement chapter 21E of the General	
682		Laws; provided, that not less than \$12,000,000	
683		shall be expended for the remediation of soil	
684		contamination on residential properties located on	
685		streets adjacent to the former landfill site in	
686		Brookline and provided further, that not less than	
687		\$7,000,000 shall be expended for the clean up of	
688		the Shaffer Paper site in Dorchester.....	\$44,000,000
689			
690	2200-7016	For a grant to the University of Massachusetts	
691		Amherst Landscape Ecology Program to utilize the	
692		Conservation Assessment and Prioritization	
693		System to establish a statewide, comprehensive	
694		wetlands monitoring and assessment program for	
695		the commonwealth, to identify relationships	
696		between landscape-based stressors and the physical	
697		and biotic condition of ecosystems, and to	
698		complete a statewide landscape connectivity study	
699		.....	\$500,000
700			
701	2200-7017	For grants to cities, towns and districts for the	
702		acquisition of lands and waters and easements by	
703		those cities, towns and districts to protect and	
704		conserve groundwater aquifers and recharge areas,	

705 surface water supplies and watershed areas, and  
706 surface or underground lands adjacent to those  
707 resources, for the protection of water that is  
708 determined by the department of environmental  
709 protection to be of potential use for water supply  
710 purposes; provided, that any grants approved by  
711 the department and provided to cities, towns and  
712 districts from this item may be for up to 60 per  
713 cent of the eligible costs of the projects; provided,  
714 that not less than \$1,125,000 be expended for a  
715 watershed study of the Miles River watershed and  
716 restoration in Ipswich, Beverly, Wenham and  
717 Hamilton .....\$22,500,000

718  
719 2200-7018 For a grant program to assist municipalities, water  
720 districts and water commissions,hereinafter  
721 referred to as water suppliers, with preserving  
722 drinking water quality and reliability; provided,  
723 that the program shall provide grant funding to  
724 water suppliers to upgrade or replace their water  
725 infrastructure; provided further, that as a condition  
726 of receiving grant funding pursuant to this  
727 program, a water supplier shall certify in writing to  
728 the department that the water supplier has a  
729 comprehensive upgrade and maintenance plan for  
730 its water infrastructure; provided further, that the  
731 comprehensive upgrade and maintenance plan  
732 shall include the following information: (1) a  
733 detailed financial forecast of facility replacement  
734 improvement requirements for the next 20 years  
735 including, but not limited to, the principal  
736 components of the water system such as reservoirs,  
737 dams, treatment plants, pipes, valves, fire hydrants,  
738 pumping stations, storage facilities, pumping and

739 well equipment, interconnections and water mains  
740 and each financial forecast shall analyze the  
741 condition and life expectancy of the existing  
742 facilities, prioritize needed repairs and  
743 replacements and amortize such improvement  
744 requirements on an annual basis over the next 20  
745 years; provided, that water suppliers which have in  
746 effect infrastructure improvement or rehabilitation  
747 programs and mechanisms for funding approved  
748 by their appropriate governing bodies may submit  
749 their existing programs for complete or partial  
750 compliance with this clause; and (2) a method that  
751 establishes and maintains fiscal controls and  
752 accounting depreciation standards; provided, that a  
753 water supplier that is also a municipality shall  
754 additionally certify in writing to the department  
755 that it has adopted a water supply utility enterprise  
756 fund pursuant to section 53F1/2 of chapter 44 of  
757 the General Laws; provided further, that the  
758 municipal water supplier shall further certify that it  
759 shall maintain its water supply utility enterprise  
760 fund in accordance with said section 53F1/2 of said  
761 chapter for 10 years from the date the grant is  
762 approved, or longer as determined by the  
763 department.....\$25,000,000  
764  
765

766 *Department of Fish and Game.*  
767

768 2300-7010 For the acquisition of land and interests in land by  
769 the department of fish and game and for associated  
770 costs, including planning, study, due diligence, title  
771 and appraisal services, site restoration and  
772 stewardship for the purpose of protecting the

773 native flora and fauna communities and for  
774 associated costs; provided, that the commissioner  
775 of fish and game may develop and utilize  
776 scientifically-based evaluation criteria to identify  
777 and select the most biologically significant areas  
778 throughout the commonwealth including, but not  
779 limited to, specific parcels, and that these lands  
780 may be purchased after being selected by this  
781 process and approved by the commissioner of  
782 fisheries and wildlife; provided further, that funds  
783 may be expended on the development and  
784 implementation of a stewardship program on lands  
785 under the care and control of the department of fish  
786 and game and its divisions, either in fee simple or  
787 through conservation easement, including but not  
788 limited to resource and land use monitoring,  
789 baseline documentation report creation, signage,  
790 boundary marking and monitoring, stewardship  
791 planning, stewardship personnel, stewardship  
792 database development, ecological monitoring, and  
793 enforcement of conservation restrictions or  
794 detection and resolution of encroachments on land  
795 owned in fee simple, and repair of damage related  
796 to illegal off-road vehicle trespass; provided  
797 further, that funds may be used for inventory,  
798 restoration and reclamation of recently acquired  
799 land, including demolition of structures, removal  
800 of debris, eradication of non-native species, and  
801 other services essential to these reclamation efforts .....\$73,000,000

802

803 2300-7011 For enhancements, improvements, removal and  
804 replacements to the infrastructure and holdings of  
805 the department of fish and game and its divisions;  
806 and for the costs of studies, plans, engineering and



807 other services essential to this activity; and for the  
808 planning, design, construction, and repair of  
809 existing and new facilities under the care and  
810 control of the department of fish and game and its  
811 divisions, including but not limited to education  
812 centers, district headquarters, hatcheries, office  
813 buildings, storage buildings, shooting ranges, and  
814 laboratories; provided, that these enhancements,  
815 improvements and replacements may include, but  
816 shall not be limited to, buildings and other  
817 structures, equipment, vehicles, vessels,  
818 information systems, and site clearance, including  
819 the demolition of structures, and other holdings  
820 including remediation of environmental  
821 compliance matters throughout the commonwealth .....\$13,000,000

822

823 2300-7013 For the purposes of conserving and recovering rare  
824 and endangered plant and animal species listed  
825 under chapter 131A of the General Laws and  
826 protecting other elements of the state's threatened  
827 natural heritage, through conservation, preparation  
828 of endangered species recovery plans,  
829 implementation of recovery projects, and the  
830 execution of habitat and ecological restoration and  
831 management, as identified by the division of  
832 fisheries and wildlife's natural heritage and  
833 endangered species program and approved by the  
834 director of the division and the commissioner of  
835 the department; provided, that the associated costs  
836 may include, but shall not be limited to, species  
837 recovery, habitat restoration and management,  
838 monitoring services and equipment purchases; and  
839 provided further, that this work may be carried out  
840 in cooperation with local municipalities, private

841 conservation organizations, private landowners,  
842 universities or governmental agencies; and  
843 provided further, that not less than \$20,000 shall be  
844 allocated for phosphorus management and algae  
845 reduction in West Monponsett pond in the town of  
846 Halifax.....\$10,000,000

847

848 2300-7014 For a program of upland habitat management of  
849 forestlands, shrub lands, and grasslands, to provide  
850 habitat for native wildlife species experiencing  
851 long-term population declines, to control invasive,  
852 exotic species that degrade natural habitats, and to  
853 maintain independent, third party certification of  
854 sustainable resource management on state wildlife  
855 lands through the forest stewardship council or the  
856 sustainable forestry initiative; provided, that  
857 activities shall include, but shall not be limited to,  
858 implementation of habitat management plans as  
859 established by the division of fisheries and wildlife  
860 and approved by the director of the division and  
861 the commissioner of the department; and to  
862 establish and support an integrated, early detection  
863 and rapid response system for invasive species and  
864 to complete a strategic management plan for  
865 invasive species to prevent, control, eradicate and  
866 restore natural management areas; provided, that  
867 the commissioner shall identify at all scales the  
868 natural and cultural resources at risk from invasive  
869 species and conduct baseline assessments of  
870 invasive species at those sites and to educate the  
871 public to help prevent and control invasive species  
872 and for a landowner incentive grant program to  
873 restore declining species and their habitats  
874 identified in the Comprehensive Wildlife

Conservation Strategy on private lands that may include, but shall not be limited to, technical and financial assistance, implementation and monitoring as established by the division of fisheries and wildlife and approved by the director of the division and the commissioner of the department, and for associated costs; provided, that the associated costs may include, but shall not be limited to, restoration, management, monitoring services, and equipment purchases; provided further, that the projects may be carried out in cooperation with cities, towns, not-for-profit organizations, private landowners, conservation organizations, sportsmen's clubs or governmental agencies; provided further, that grants may be awarded to public and non-public entities to carry out the purposes of this item; provided further, that not less than \$1,200,000 shall be expended for invasive species control in the city of Peabody; provided further, that \$50,000 shall be expended for the eradication of invasive aquatic weed in the town of Wayland; provided further, that not more than \$2,000,000 may be annually appropriated for a program to support comprehensive methods of controlling harmful invasive aquatic species; provided further, that not less than \$5,000,000 shall be expended for a program of grants to cities and towns for projects to control or eradicate harmful invasive aquatic species; provided further, that not less than \$250,000 shall be expended for the control or eradication of invasive aquatic species at Lake Cochituate State Park; provided further, that not less than \$100,000 shall be expended for invasive weed control on the Charles

909 River in the city of Waltham; provided further, that  
910 not less than \$50,000 shall be expended for control  
911 of invasive aquatic species at Noyes Pond in  
912 Tolland; provided further, that the department shall  
913 conduct a study of invasive aquatic species  
914 infestation in the Charles River; provided further,  
915 that not less than \$25,000 shall be expended for  
916 invasive aquatic weed control in the town of  
917 Lincoln; and provided further, that the department  
918 may award grants to public and non-public entities  
919 to carry out the purposes of this item; .....\$16,500,000  
920

921 2300-7015 For the river restoration programs in the division of  
922 riverways within the department of fish and game;  
923 provided, that funds authorized in this item may be  
924 utilized for river and river corridor revitalization,  
925 restoration and protection of river ecosystems and  
926 functions statewide, including dam and barrier  
927 removal, instream improvements, flow, water  
928 quality, riverine habitat, for protection of high  
929 quality riparian habitat to mitigate threats from  
930 climate change, and recreational opportunities;  
931 provided further, that these costs may include, but  
932 shall not be limited to, equipment to implement  
933 these programs; and provided further, that the  
934 commissioner or his designee may enter into  
935 cooperative agreements with state and federal  
936 government agencies and municipalities, may  
937 contract for services including, but not limited to,  
938 engineering, and may award grants to public and  
939 non-public entities to foster and carry out the  
940 purposes of this item .....\$10,000,000  
941

942        2300-7016        For the planning, engineering, design,  
943                                construction, construction inspection, acquisition,  
944                                development, and reconstruction of existing and  
945                                new coastal and inland access sites including, but  
946                                not limited to, boat launching facilities, fisherman  
947                                boat access facilities, car-top boat launching  
948                                facilities, canoe access facilities, sport fishing piers  
949                                and shore fishing areas including, but not limited  
950                                to, ramps, docks, floats and appurtenant facilities  
951                                throughout the commonwealth including, but not  
952                                limited to, public docking access in Boston Harbor;  
953                                provided further, that not less than \$25,000 shall be  
954                                expended for the pond restoration and pollution  
955                                abatement study for Rawson Hill brook and pond  
956                                in the town of Shrewsbury; provided further, that  
957                                not less than \$300,000 shall be expended for the  
958                                reconstruction of the boating and fishing access  
959                                ramp at Cooks Pond in Fall River; provided  
960                                further, that \$350,000 shall be expended for  
961                                Salisbury Flood Control in state highway route 1;  
962                                provided further, that not less than \$400,000 shall  
963                                be expended for the fish pier at Deer Island Park  
964                                in Amesbury; provided further, that \$190,000 shall  
965                                be expended for the North Andover boat ramp at  
966                                Riverview Street; provided further, that \$500,000  
967                                shall be expended for Green Pond Boat Ramp in  
968                                the town of Falmouth; provided further, that  
969                                \$1,000,000 shall be expended for renovations to  
970                                the state boat ramp and parking lot at Lake  
971                                Mascuppic in Dracut; provided further, that not  
972                                less than \$75,000 shall be expended for repair of  
973                                the access ramp and dock at the Jones River  
974                                Landing Environmental Heritage Center in  
975                                Kingston; provided further, that not less than

976 \$650,000 shall be expended for the repair and  
977 enhancements of the public access boat ramp on  
978 Laurel lake in the town of Lee; provided further,  
979 that not less than \$250,000 shall be expended for  
980 the renovation of the Bashara Boathouse in  
981 Lawrence Riverfront State Park and provided  
982 further, that not less than \$75,000 shall be  
983 expended for design and engineering costs for a  
984 boat ramp at Squantum Point Park in Quincy.....\$8,075,000  
985

986 2300-7017 For the implementation of the Comprehensive  
987 Wildlife Conservation Strategy and investigating  
988 the impacts of climate change on the biodiversity  
989 of Massachusetts including, but not limited to,  
990 habitat protection and restoration, implementation,  
991 and equipment purchases; provided, that  
992 implementation may also include, but shall not be  
993 limited to, a Coastal Waterbird Conservation  
994 Program to restore globally and regionally  
995 significant populations of declining and at-risk  
996 species of coastal water birds and their habitats, as  
997 tracked by the natural heritage & endangered  
998 species program and identified in the  
999 Comprehensive Wildlife Conservation Strategy,  
1000 including habitat protection and restoration, bird  
1001 population protection, restoration, and technical  
1002 assistance to landowners and other cooperators,  
1003 and planning, engineering, design, construction,  
1004 and reconstruction of structures to stabilize critical  
1005 coastal nesting islands, and for associated costs  
1006 which may include, but shall not be limited to,  
1007 equipment purchases; provided further, that this  
1008 work may be carried out in cooperation with local  
1009 municipalities, private conservation organizations,

1010 private landowners, universities, or governmental  
1011 agencies; provided further, that implementation  
1012 may also include, but shall not be limited to, non-  
1013 marine aquatic habitat protection and restoration,  
1014 establishing benchmarks for fish community  
1015 restoration and establishing protection goals for  
1016 high quality fish communities, the preparation of  
1017 restoration and habitat protection plans, and the  
1018 execution of fisheries habitat restoration projects  
1019 on natural fish communities and for associated  
1020 costs including, but not limited to, research,  
1021 restoration, management, monitoring, and  
1022 equipment; provided further, that funds may be  
1023 expended from this item for the further  
1024 development of map products by this program to  
1025 identify and target for protection, restoration and  
1026 management of natural fisheries communities  
1027 including, but not limited to, research, data  
1028 collection, map production and equipment and  
1029 management studies; and provided further, that  
1030 grants may be awarded to public and non-public  
1031 entities to carry out the purposes of this item; .....\$10,450,000

1032

1033 2300-7018 For the purposes of marine fisheries resource habitat  
1034 identification, classification, protection and  
1035 restoration, the preparation of technical guidance  
1036 and fisheries management plans, as approved by  
1037 the director of marine fisheries and the  
1038 commissioner of the department, and for  
1039 associated costs; provided, that these associated  
1040 costs may include, but shall not be limited to,  
1041 research, restoration, management, monitoring and  
1042 equipment; provided further, that these projects  
1043 may be carried out in cooperation with not-for-

1044 profit organizations or other management agencies;  
1045 provided further, that funds may be expended for  
1046 the further development of map products and  
1047 technical guidance by this program to identify and  
1048 target for protection, restoration and management  
1049 of marine fisheries resources including, but not  
1050 limited to, research, data collection, equipment,  
1051 map production, management studies; provided  
1052 further, that not less than \$2,000,000 shall be  
1053 expended for the study of commercial and  
1054 recreational fishing stocks, and creating a data  
1055 collection and fisheries management system to be  
1056 administered by the Massachusetts Marine  
1057 Fisheries Institute in conjunction with the School  
1058 of Marine Science and Technology at the  
1059 University of Massachusetts, Dartmouth; provided  
1060 further, that not less than \$2,000,000 shall be  
1061 expended on a research vessel to conduct ocean  
1062 management and sustainable fisheries research;  
1063 provided further, that this vessel shall be operated  
1064 by the School of Marine Science and Technology  
1065 at the University of Massachusetts, Dartmouth and  
1066 shall be primarily berthed in the port of New  
1067 Bedford; provided further, that not less than  
1068 \$750,000 shall be expended for the purchase of  
1069 scales and the establishment of a shore-based  
1070 monitoring program for all federally-managed  
1071 fisheries for herring and mackerel, which  
1072 expenditures shall be made, and the program  
1073 conducted, in accordance with the requirements of  
1074 section 18 and under the supervision of the  
1075 oversight committee established in said section 18;  
1076 provided further, that not more than \$225,000 shall  
1077 be expended by the department for the study of the



1078 horseshoe crab population in Wellfleet Harbor,  
1079 Pleasant Bay, and Barnstable Harbor; and  
1080 provided further, the department may contract with  
1081 an environmental non-profit in order to conduct  
1082 said horseshoe crab study.....\$7,475,000

1083

1084 *Department of Agricultural Resources.*

1085 2500-7012 For a program to acquire agricultural preservation  
1086 restrictions under sections 23 to 26, inclusive, of  
1087 chapter 20 of the General Laws; provided, that any  
1088 person or entity that receives funds from this item  
1089 shall be encouraged to participate in any programs  
1090 of the department of agricultural resources that  
1091 may be suggested by the commissioner of  
1092 agricultural resources; provided further, that funds  
1093 may be used for implementation of a stewardship  
1094 program on APR lands including, but not limited  
1095 to, resource and land use monitoring, boundary  
1096 delineation and monitoring, stewardship planning,  
1097 ecological monitoring, and enforcement of  
1098 agricultural preservation restrictions on existing  
1099 and newly acquired APR properties; as well as the  
1100 creation of new opportunities that seek to enhance  
1101 the sustainability and viability of APR properties .....\$67,750,000

1102

1103 2500-7013 For the purpose of developing and implementing  
1104 programs designed to address agricultural  
1105 economic and environmental sustainability,  
1106 research, industry promotion, technology transfer,  
1107 education and to facilitate improvements to  
1108 agricultural infrastructure, energy conservation and  
1109 efficiency, as well as renewable energy projects,  
1110 including the development and implementation of  
1111 farm viability plans and other technical and

1112 engineering assistance to enhance the economic  
1113 and environmental viability of farms, to provide  
1114 for shorter term land covenants, and for  
1115 undertaking of markets for agricultural products to  
1116 assist in agricultural business enhancement and  
1117 transition, the creation of a program, including  
1118 grants to public and non-public entities for the  
1119 development and implementation of new  
1120 procedures for energy conservation and efficiency,  
1121 renewable and alternative energy sources to assist  
1122 the commonwealth's agricultural community to  
1123 grow and develop; provided further, that funds  
1124 shall be expended for the Northeastern  
1125 Massachusetts aquaculture center by Salem State  
1126 College, Southeastern Massachusetts aquaculture  
1127 center by Barnstable County, the University of  
1128 Massachusetts School for Marine Science and  
1129 Technology, in consultation and cooperation with  
1130 the department's aquaculture division at a location  
1131 within the port of New Bedford and the Western  
1132 Massachusetts center for sustainable aquaculture  
1133 by the University of Massachusetts, Amherst;  
1134 provided further, that not less than \$10,000,000  
1135 shall be expended to establish a program to  
1136 facilitate the creation of a general public market in  
1137 Boston to provide local agricultural, seafood and  
1138 aquaculture, dairy and specialty foods produced in  
1139 the commonwealth; provided further, that financial  
1140 support shall be expended for planning and  
1141 construction of a slaughterhouse in western  
1142 Massachusetts; provided further, that the  
1143 Massachusetts aquaculture centers shall work in  
1144 cooperation and in collaboration with the  
1145 department of agricultural resources toward the

1146 provision of grant funding and services to the  
1147 aquaculture industry; provided further, that there  
1148 be established a program to assist in the  
1149 preservation and rehabilitation of facilities and  
1150 land resources of agricultural fairs in the  
1151 commonwealth through short-term preservation  
1152 covenants, grants, demonstration projects and other  
1153 means, under section 38C of chapter 128 of the  
1154 General Laws; provided further, that funds  
1155 authorized in this item may be allocated by the  
1156 commissioner through competitive grants; and  
1157 provided further, that the commissioner may adopt  
1158 regulations relative to these grants.....\$30,000,000

1159  
1160 2500-7014 For the agricultural environmental enhancement  
1161 program on the abatement of all forms of pollution  
1162 generated from agricultural activities originally  
1163 funded under section 8 of chapter 258 of the acts of  
1164 1996; provided, that funds may be allocated by the  
1165 commissioner through competitive grants awarded  
1166 to public and non-public entities to carry out the  
1167 purposes of this item .....\$3,000,000

1168

1169 *Department of Conservation and Recreation.*

1170

1171 2800-7011 For the acquisition of land and interests in land by  
1172 the department of conservation and recreation and  
1173 for associated costs, including planning, study, due  
1174 diligence, title and appraisal services, site  
1175 restoration, stewardship, and costs associated with  
1176 the defense of eminent domain takings for the  
1177 purpose of protecting significant natural and  
1178 cultural resources of the commonwealth and  
1179 enhancing the department's system of forests,

1180 parks and reservations; provided, that funds may  
1181 be used for development and implementation of a  
1182 stewardship program on lands under the care and  
1183 control of the department of conservation and  
1184 recreation including, but not limited to, resource  
1185 and land use monitoring, signage, boundary  
1186 delineation and monitoring, preparation of baseline  
1187 documentation, stewardship planning, ecological  
1188 monitoring, and enforcement of conservation  
1189 restrictions or detection and resolution of  
1190 encroachments on land owned in fee simple, and  
1191 repair of damage to property related to illegal uses,  
1192 including off-road vehicle trespass; provided  
1193 further, that funds may be used for inventory,  
1194 restoration and reclamation of recently acquired  
1195 land, including demolition of structures, removal  
1196 of debris, eradication of non-native species, and  
1197 other services essential to these reclamation  
1198 efforts; provided further, that not less than  
1199 \$1,500,000 shall be expended for design and  
1200 permitting of Phase II of the Urban Neponset  
1201 Reservation; provided further, that not less than  
1202 \$3,000,000 shall be expended within the Saugus  
1203 River watershed; provided further, that not less  
1204 than \$197,132 shall be expended for the restoration  
1205 of stone walls at Luther Hill Park in Spencer;  
1206 provided further, that not less than \$200,000 shall  
1207 be expended for the acquisition and restoration of a  
1208 parcel on the Concord River in the town of  
1209 Billerica; provided further, that not less than  
1210 \$500,000 shall be expended for the planning,  
1211 design, construction permitting and oversight of a  
1212 boat ramp and associated parking and access road  
1213 ways on the Concord River in the town of

1214 Billerica; provided further, that not more than  
1215 \$6,000,000 shall be expended for the acquisition of  
1216 the Silver Maple Forest in Belmont and  
1217 Cambridge, for conservation purposes; and  
1218 provided further, that not less than \$11,500,000  
1219 shall be expended for the restoration, remediation,  
1220 and other necessary environmental improvements  
1221 to the Lower Neponset River Watershed including,  
1222 but not limited to, associated costs of engineering,  
1223 design, permitting as well as costs relating to  
1224 public outreach; and that not less than \$500,000  
1225 shall be expended for aesthetic, pedestrian, and  
1226 vehicular traffic improvements at the intersection  
1227 of Neponset Valley Parkway and Brush Hill Road  
1228 in the town of Milton .....\$76,000,000

1229  
1230 2800-7012 For natural resource restoration and protection and  
1231 to ensure compliance with storm water  
1232 management and the federal Clean Water Act,  
1233 including enhanced environmental compliance  
1234 with laws and regulations, and improvements, and  
1235 costs associated with site assessment, containment,  
1236 clean-up, control, removal of, or response actions  
1237 concerning hazardous materials or substances at  
1238 forests, parks, reservations and other properties of  
1239 the department of conservation and recreation .....\$30,000,000

1240  
1241 2800-7013 For forest management and conservation purposes  
1242 on state forests and parks of the department  
1243 including, but not limited to, a program of habitat  
1244 improvements, bio-diverse forestry, and wildlife  
1245 enhancement to forest and parks, boundary and  
1246 forest road and trail maintenance and restoration  
1247 for forest management, recreation and fire fighting

1248 purposes, forest health projects and inventories,  
1249 forest green certification, coordination with the  
1250 department of fish and game, compliance projects,  
1251 for the department's program to market and  
1252 promote ecologically sustainable utilization of the  
1253 commonwealth's biomass supplies for renewable  
1254 energy projects, for the state match for the  
1255 cooperative federal-state Urban & Community  
1256 Forestry Program, and for fire suppression  
1257 activities, fuels management, including prescribed  
1258 fire to protect biodiversity and rare and endangered  
1259 species habitat, eradicate invasive species and  
1260 forests pests and pathogens, and including  
1261 necessary vehicles and equipment, and other forest  
1262 management and conservation activities, provided  
1263 that \$670,000 shall be expended for firefighting  
1264 equipment in the town of Plymouth to support  
1265 firefighting needs in Myles Standish State Forest.....\$10,000,000

1266  
1267 2800-7015 For the protection, preservation and restoration of  
1268 the commonwealth's significant natural and  
1269 historic landscapes, and to provide assistance to  
1270 cities and towns to further these purposes,  
1271 including protection and stewardship of long  
1272 distance trails and greenway corridors; provided,  
1273 that program activities include, but are not limited  
1274 to, technical assistance, preservation, acquisition  
1275 of interests in land, construction, rehabilitation,  
1276 public training, preservation maintenance and  
1277 associated costs; provided further, that there shall  
1278 be a program to support the department's mission  
1279 of natural and cultural resource protection;  
1280 provided further, that program activities include  
1281 but are not limited to, scientific analysis, design,

1282 construction, rehabilitation, historic structure  
1283 stabilization, landscape preservation, and archive  
1284 management; and provided further, that not less  
1285 than \$1,200,000 shall be provided for the  
1286 restoration of the John B. Gough Estate in the town  
1287 of Boylston.....\$12,950,000  
1288

1289 2800-7016 For the design, construction, reconstruction,  
1290 rehabilitation or removal of department-owned  
1291 dams, and, subject to rules and regulations of the  
1292 department, municipal-owned dams, other  
1293 publicly-owned dams, and other dams for which  
1294 emergency action is required and related facilities  
1295 and equipment; provided, that the department of  
1296 conservation and recreation shall give priority to  
1297 dams and flood control projects which pose the  
1298 greatest risk to public health, safety or the  
1299 environment, subject to rules and regulations of the  
1300 department, and for a program of planning,  
1301 permitting and construction of fish ways and other  
1302 aquatic habitat improvements, including the  
1303 removal or breaching of selected dams and  
1304 impoundments on land under the care, custody and  
1305 control of the department; provided further, that  
1306 not less than \$1,000,000 shall be expended on the  
1307 Williams Pond Dam in Orange; provided further,  
1308 that not less than \$1,000,000 shall be expended on  
1309 the Williams Pond Dam in Winchendon; provided  
1310 further, that not less than \$75,000 shall be  
1311 expended on a feasibility study at Forge Dam Pond  
1312 in Kingston; provided further, that not less than  
1313 \$390,000 shall be expended for repairs to the  
1314 Squannacook River Dam in Groton; provided  
1315 further, that not less than \$500,000 shall be

1316 expended for repairs to the dam at Flint Pond in  
1317 Tyngsborough; provided further, that not less than  
1318 \$40,000 shall be expended for the Newburyport  
1319 Joppa Flats Boat Launch; provided further, that not  
1320 less than \$100,000 shall be expended for drainage  
1321 for a culvert on Old Ferry Road to mitigate years  
1322 of flooding on Frye road in town of Methuen;  
1323 provided further, that not less than \$700,000 shall  
1324 be expended to the town of Bedford for the design  
1325 and reconstruction of the Vine Brook culvert on  
1326 Old Burlington road adjacent to the Wilson Mill  
1327 Dam; provided further, that not less than  
1328 \$1,500,000 shall be expended for the construction  
1329 of a dam at Van Horn Park in Springfield;  
1330 provided further, that not less than \$2,000,000  
1331 shall be expended for repair and improvements to  
1332 Saxton J. Foss Park in the city of Somerville;  
1333 provided further, that not less than \$250,000 shall  
1334 be expended for the design and repair of Newton  
1335 Pond Dam in Shrewsbury; provided further, that  
1336 not less than \$1,300,000 shall be expended for  
1337 repairs to the Sheppard Pond Dam in Canton;  
1338 provided further, that \$2,500,000 shall be  
1339 expended to examine and implement proposed  
1340 flood mitigation projects along the Aberjona River  
1341 and Mystic Lakes in the Town of Winchester;  
1342 provided further, that not less than \$3,350,000 be  
1343 expended for phase II inspections and emergency  
1344 repairs to the Notch reservoir and Mount Williams  
1345 Reservoir Dams in the city of North Adams;  
1346 provided further, that not less than \$2,500,000  
1347 shall be expended for repairs and renovations to  
1348 the East Windsor Dam in the town of Dalton;  
1349 provided further that not less than \$1,500,000 shall



1350 be expended for the Town Brook dams in  
1351 Plymouth; provided further, that not less than  
1352 \$48,000 shall be expended for repair of the dam at  
1353 Johnson's Pond in Raynham; provided further, that  
1354 not less than \$1,900,000 shall be expended for the  
1355 reconstruction of the Rexhame drainage system in  
1356 Marshfield; provided further, that not less than  
1357 \$2,000,000 shall be expended for reconstruction of  
1358 the Granville Reservoir Dam; provided further,  
1359 that not less than \$150,000 shall be expended to  
1360 the town of Shutesbury for repairs to the dam at  
1361 Lake Wyola; provided further, that not less than  
1362 \$100,000 shall be expended for repairs,  
1363 maintenance, and operation of Lake Maspenock  
1364 Dam in Hopkinton; provided further, that not less  
1365 than \$2,700,000 shall be expended for  
1366 environmental restoration of Milford Pond in  
1367 Milford; provided further, that not less than  
1368 \$350,000 shall be expended for repair and  
1369 stabilization of the Connecticut River Dike in  
1370 Hatfield; provided further, that \$250,000 shall be  
1371 expended for the ecosystem restoration project and  
1372 dam removal on the Green River in the city of  
1373 Greenfield; provided further, that \$100,000 shall  
1374 be expended for dam repairs in Medway; provided  
1375 further, that not less than \$800,000 shall be  
1376 expended for creating a neighborhood network of  
1377 gardens and trails in the city of Lawrence;  
1378 provided further, that not less than \$250,000 shall  
1379 be expended for repairs to Eagle Dam in the town  
1380 of Wrentham; provided further, that not less than  
1381 \$1,000,000 shall be provided to the city of  
1382 Leominster for the design and reconstruction of the  
1383 bank stabilization project adjacent to Slack Brook;

1384 provided further, that not less than \$80,000 shall be  
1385 expended for a study of the Mirror Lake Dam at  
1386 Coggs Hall Park in the city of Fitchburg; provided  
1387 further, that \$800,000 shall be expended for  
1388 design, repair and safety stabilization of the  
1389 Connecticut river dike in the town of Hadley; and  
1390 provided further, that not less than \$500,000 shall  
1391 be expended for the repair of the Jacobs Pond dam  
1392 in the town of Norwell .....\$40,500,000.

1393  
1394 2800-7017 For the support of the protection and rehabilitation  
1395 of the lakes and ponds and associated watersheds  
1396 including, but not limited to, assistance and grant  
1397 programs under sections 37A to 37D, inclusive, of  
1398 chapter 21 of the General Laws; provided, that  
1399 program activities shall include, but not be limited  
1400 to, technical assistance, studies, preservation,  
1401 environmental improvements and associated costs  
1402 and for a program to provide for the registration of  
1403 persons engaged in the business of drilling or  
1404 digging wells and assuring adherence to  
1405 professional standards in well construction in order  
1406 to protect the ground water resources of the  
1407 commonwealth and the consumers, including the  
1408 provision of technical assistance to boards of  
1409 health and the regulated community and the  
1410 provision of ongoing education to well drillers and  
1411 others, coordination with the office of the state  
1412 geologist, including associated costs .....\$5,000,000

1413  
1414 2800-7018 To provide state coordination with a cooperative  
1415 federal-state program with the United States  
1416 Geological Survey, Department of Interior, for  
1417 continuous data collection and analysis, including

1418 the operation of the statewide stream flow and  
1419 ground water level monitoring networks standards  
1420 and web sites, and to fund studies of current water  
1421 resources research on stream flow and groundwater  
1422 resource management, watershed studies, stream  
1423 gauges, basin studies and topical studies and other  
1424 related hydrologic studies and activities .....\$25,000,000  
1425

1426 2800-7019 For the development of long-range capital  
1427 improvement plans, designs, and related  
1428 engineering specifications to improve and  
1429 rehabilitate department properties and facilities,  
1430 including but not limited to the resource  
1431 management planning process under section 2F of  
1432 chapter 21 of the General Laws; provided further,  
1433 that not less than \$300,000 shall be expended for  
1434 the Mystic River Master Plan.....\$5,000,000  
1435

1436 2800-7022 For the purpose of protecting and conserving the  
1437 ecological and economic integrity of the  
1438 commonwealth's privately held forestlands,  
1439 including but not limited to acquisition of interests  
1440 in land including easements, agreements, rights of  
1441 first refusal and covenants; for a forestry  
1442 conservation restriction program to acquire  
1443 conservation restrictions under section 31 of  
1444 chapter 184 for private working forests actively  
1445 devoted to sustainable forestry, and classified as  
1446 forest land under section 2 of chapter 61 of the  
1447 General Laws, in order to encourage sustainable  
1448 forestry, protect prime forest land, and help the  
1449 viability and affordability of sustainable forestry;  
1450 provided, that working forest conservation  
1451 restrictions shall be held by the department of

1452 agriculture or the department of conservation and  
1453 recreation or the municipality in which the land is  
1454 located; provided further, that projects shall be  
1455 rated based on the suitability of land to grow forest  
1456 products, the fair market value of the land as  
1457 determined by independent appraisers, proximity  
1458 to other protected working forests, management  
1459 history of the project to serve as a model of  
1460 sustainable forestry and the degree to which the  
1461 conservation restriction would serve to preserve  
1462 and make affordable the practice of sustainable  
1463 forestry in the commonwealth; and for grants to  
1464 public and non-public organizations and private  
1465 landowners for education, technical assistance,  
1466 forest stewardship practices, enhancement of  
1467 ecosystem services and carbon sequestration, estate  
1468 planning, interests in land or associated land  
1469 acquisition costs; grants to private forest  
1470 landowners, forest businesses and non-profits for  
1471 the forest viability program for enhancing  
1472 sustainable economic benefits of forests, including  
1473 business plans and implementation grants and no-  
1474 development covenants to be held by the  
1475 department of agriculture or the department of  
1476 conservation and recreation, including but not  
1477 limited to forest management plans for private  
1478 landowners; provided, that projects and funding  
1479 shall be approved by the secretary of energy and  
1480 environmental affairs; and provided further, that  
1481 projects may be carried out in cooperation with  
1482 other governmental agencies, private landowners,  
1483 and conservation organizations according to  
1484 management agreements approved by the secretary .....\$4,000,000  
1485

1486        2800-7097     For the design, construction, reconstruction,  
1487                           improvement or rehabilitation of department or  
1488                           navigable coastal and inland waterways projects,  
1489                           including but not limited to coastal protection,  
1490                           structures, dredging, rivers and stream cleaning,  
1491                           coastal structure maintenance, piers, dune  
1492                           stabilization, culvert repair, re-nourishment,  
1493                           erosion control and waterfront access and  
1494                           transportation improvements and related facilities  
1495                           and equipment; provided further that not less than  
1496                           \$100,000 shall be provided to the town of  
1497                           Lynnfield for the purposes of conducting an  
1498                           environmental impact study on flooding and  
1499                           drainage issues at Reedy Meadow that also impact  
1500                           the communities of Wakefield, Saugus and Lynn;  
1501                           provided further, that \$3,000,000 shall be  
1502                           expended for the dredging of Plymouth Harbor;  
1503                           provided further, that not less than \$750,000 shall  
1504                           be expended for the dredging of the Fore River in  
1505                           the town of Braintree; provided further, that  
1506                           \$2,500,000 shall be expended for the costs of sand  
1507                           restoration and erosion control and prevention  
1508                           necessary for the protection of roadway and utility  
1509                           infrastructure on Plum island in the town of  
1510                           Newbury and the city of Newburyport; provided  
1511                           further, that not less than \$2,250,000 shall be  
1512                           expended for dredging of Hingham Harbor; and  
1513                           provided further, that not less than \$600,000 shall  
1514                           be expended for the dredging of Morse's Pond and  
1515                           related items in the town of Wellesley .....\$22,250,000

1516  
1517        2840-7014     For the design, construction, reconstruction,  
1518                           removal, improvement or rehabilitation of  
1519                           department reservations, forests, parks, harbor

1520 islands, skating rinks, swimming pools, golf  
1521 courses, tennis courts, basketball courts,  
1522 playgrounds, other recreational facilities, beaches  
1523 and related facilities, storage buildings, office  
1524 buildings and other parks buildings and equipment  
1525 and for the planning, design, construction, repair,  
1526 reconstruction, rehabilitation, or improvement of  
1527 department bike paths, greenways, recreational  
1528 trails, and related facilities and equipment;  
1529 provided, that not more than \$1,250,000 shall be  
1530 expended for restoration and reconstruction of the  
1531 former superintendent's house at Wachusett  
1532 Mountain State Park; provided further, that not  
1533 more than \$6,300,000 shall be expended for  
1534 maintenance, repairs, and construction at the  
1535 Connors Pool in Waltham; provided further, that  
1536 not less than \$2,000,000 shall be provided for the  
1537 reconstruction of the Vernon Hill multi-depth  
1538 swimming pool in the city of Worcester; provided  
1539 further, that not less than \$2,100,000 shall be  
1540 provided for the reconstruction of the Bennett  
1541 Field multi-depth swimming pool in the city of  
1542 Worcester; provided further, that \$40,000 shall be  
1543 expended for the construction and maintenance of  
1544 trails in the town of Bourne; provided further, that  
1545 not less than \$15,000,000 be expended for the  
1546 planning, design, and maintenance of bike paths,  
1547 facilities and greenways for the bicycle recreating  
1548 public; provided further, that not less than  
1549 \$150,000 shall be expended for the construction  
1550 and maintenance of walking trails, bike paths and  
1551 sanitary facilities along the greenway surrounding  
1552 Watson's Pond in the city of Taunton; provided  
1553 further, that not less than \$50,000 shall be

1554 expended for the renovations to public parks in  
1555 Spencer; provided further, that not less than  
1556 \$50,000 shall be expended for improvements to the  
1557 pond and beach at Howe State Park in Spencer;  
1558 provided further, that not more than \$150,000 be  
1559 expended for renovations, repairs, or replacement  
1560 at the Crosby Mansion and Cape House; provided  
1561 further, that not less than \$50,000 shall be  
1562 expended for improvements at Manning state  
1563 forest in the town of Billerica; provided further,  
1564 that not less than \$2,500,000 shall be expended for  
1565 ice bed system replacement and HVAC and roof  
1566 repairs at the Veterans' Memorial Hockey Rink in  
1567 the city of Somerville; provided further, that not  
1568 less than \$5,500,000 shall be expended for parking  
1569 lot and road reconstruction at the Mount Wachusett  
1570 state reservation; provided further, that not less  
1571 than \$300,000 shall be expended for clean up,  
1572 planning and design of a multi-use recreational  
1573 field within or adjacent to the Blue Hills  
1574 Reservation in the town of Canton; provided  
1575 further, that \$3,405,000 shall be expended for  
1576 improvements at Breakheart Reservation,  
1577 including developing a master plan for the  
1578 Breakheart Reservation area, rebuilding the barn as  
1579 a green educational center, repairing the flume,  
1580 adding playground equipment, covered picnic  
1581 shelters, lifeguard chairs, a shuttle, a solar-powered  
1582 circulator for Silver Lake, and permanent  
1583 bathrooms, a changing and first aid station, and  
1584 concession building by Silver Lake, improving  
1585 Bark Place, repairing fire equipment, improving  
1586 public safety within the designated swimming  
1587 areas, including those areas at Camp Nihan, and

1588 improvements at Camp Nihan, including insulating  
1589 walls and replacing windows in cabins, replacing  
1590 woodstoves, and adding a solar-powered circulator  
1591 for Peckham Pond, energy-efficient heating in  
1592 Sprague Lodge, refrigeration units, backup power,  
1593 and a wind-powered 110-volt system; provided  
1594 further, that that not less than \$1,000,000 shall be  
1595 provided for the purpose of partially matching  
1596 federal coastal wetland restoration projects within  
1597 the Rumney Marshes Area of Critical  
1598 Environmental Concern; provided further, that not  
1599 less than \$6,000,000 shall be expended for  
1600 acquisition of the East Boston Camp property in  
1601 the town of Westford; provided further, that not  
1602 less than \$1,000,000 shall be expended within the  
1603 layout of the former Saugus Branch railroad,  
1604 including developing a master plan, a multi-use  
1605 trail, and the design and construction of park  
1606 improvements on the Bacon property in Saugus;  
1607 provided further, that that not less than \$250,000  
1608 shall be provided to develop an open space  
1609 protection plan for the Saugus River and its  
1610 tributaries, including studies to improve flood and  
1611 storage capacity and to protect public water  
1612 supplies; provided further, that not less than  
1613 \$800,000 shall be expended for the waterfront  
1614 restoration project in Watertown; provided further,  
1615 that not less than \$1,000,000 shall be expended for  
1616 athletic fields in Walpole; provided further, that  
1617 not less than \$5,659,000 shall be expended for  
1618 construction of a permanent ice skating rink in  
1619 Jamaica Plain; provided further that not less than  
1620 \$4,400,000 shall be expended for the construction  
1621 and rehabilitation of the Melnea Cass rink and pool



1622 in Boston as an enclosed public roller-skating rink;  
1623 provided further, that not less than \$10,000,000  
1624 shall be expended for enhancements to Horseneck  
1625 Beach State Reservation, including construction  
1626 and rehabilitation of the Horseneck Beach  
1627 campgrounds and Gooseberry Island; provided  
1628 further, that not less than \$300,000 shall be  
1629 expended at Fort Phoenix State Reservation;  
1630 provided further, that not less than \$2,500,000  
1631 shall be expended for restoration of and equipment  
1632 for the Schooner Ernestina; provided further, that  
1633 not less than \$1,000,000 shall be expended for  
1634 improvements to Houghton's Pond athletic fields;  
1635 provided further, that not less than \$2,000,000  
1636 shall be expended for capital improvements to the  
1637 Trailside Museum; provided further, that not less  
1638 than \$500,000 shall be expended for the  
1639 construction of a trail system connecting to  
1640 Crane's beach in Ipswich; provided further, that  
1641 \$1,600,000 shall be expended for the Salisbury  
1642 Beach boardwalk; provided further, that not less  
1643 than \$150,000 shall be expended for improvements  
1644 to Smith Beach in the town of Braintree; provided  
1645 further, that \$1,000,000 shall be expended for the  
1646 Newburyport waterfront park; provided further,  
1647 that \$2,800,000 shall be expended for the  
1648 Newburyport boardwalk; provided further, that  
1649 \$200,000 shall be expended for building repairs  
1650 and the installation of an equipment shed at the  
1651 Great Falls Discovery Center, provided further,  
1652 that \$280,000 shall be expended for repairs to the 3  
1653 level observation deck and replacement of guard  
1654 rails at Mount Sugarloaf State Park; provided  
1655 further, that not less than \$700,000 shall be

1656 expended for the Lowell Parks and Conservation  
1657 Trust Concord River Greenway; provided further,  
1658 that \$1,500,000 shall be expended for the  
1659 rehabilitation and site improvements to the Brook  
1660 Farm historic site in the West Roxbury section of  
1661 the city of Boston; provided further, that  
1662 \$2,000,000 shall be expended for the  
1663 reconstruction, rehabilitation and site  
1664 improvements of the Thompson Center in the  
1665 Hyde Park section of the city of Boston; provided  
1666 further, that not less than \$1,000,000 shall be  
1667 expended for renovations at the Marine Park  
1668 bathhouse in South Boston; provided further, that  
1669 \$925,000 shall be expended for renovation and  
1670 reconstruction of the Surf Drive Bath House and  
1671 the Old Silver Beach Bath House in Falmouth;  
1672 provided further, that not less than \$500,000 shall  
1673 be expended for arsenic remediation at the Ledge  
1674 road landfill in the town of Andover; provided  
1675 further, that not less than \$10,000,000 shall be  
1676 delivered to MassDevelopment to pay for costs and  
1677 expenses associated with site assessment, asbestos  
1678 and hazardous waste remediation, removal and  
1679 abatement, demolition, renovation, infrastructure  
1680 improvement, surveying, planning, construction,  
1681 permitting, marketing and other site preparation at  
1682 the former Belchertown State School property;  
1683 provided further, that not less then \$1,000,000  
1684 shall be expended for the capital improvements to  
1685 Lynn Heritage Park Visitors Center; provided  
1686 further, that not less then \$250,000 shall be  
1687 expended for the Steamline Trail wall repair  
1688 project in the city of Fitchburg; provided further,  
1689 that not less than \$150,000 shall be expended for

1690		the Crocker Field Restoration project in the city of	
1691		Fitchburg; provided further, that \$4,000,000 shall	
1692		be expended for Phase 1 of the improvement and	
1693		redevelopment plan of the Three County	
1694		Fairgrounds in the city of Northampton; provided	
1695		further, that not less than \$350,000 shall be	
1696		expended for renovations and construction at the	
1697		Manning pool in the city of Brockton; provided	
1698		further, that not less than \$1,000,000 shall be	
1699		expended on rehabilitation to Palmer's Island	
1700		Lighthouse; provided further, that \$250,000 shall	
1701		be expended for the planning and construction of a	
1702		pavilion and amphitheatre at River Bend Farm	
1703		Visitors' Center at the Blackstone River and Canal	
1704		Heritage State Park ; provided further, that	
1705		\$250,000 shall be expended for planning and	
1706		construction of the French River Greenway which	
1707		traverses the communities of Dudley, Webster and	
1708		Oxford; and provided further, that not less than	
1709		\$200,000 shall be expended for mechanical	
1710		systems upgrades, including heating and air	
1711		conditioning systems, to the Gardner Heritage	
1712		State Park Visitors Center .....	\$220,700,000
1713			
1714	2840-7017	For the design, construction, reconstruction, repair,	
1715		improvement or rehabilitation of flood control	
1716		facilities and water resource protection related	
1717		facilities of the department, including its various	
1718		pump stations and structures; provided, that	
1719		\$180,000 shall be provided for the installation of a	
1720		biofilter system at the Woodland Street Pump	
1721		Station in the town of West Boylston .....	\$30,000,000
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*Division of Energy Resources*

9300-7909 For the energy conservation improvement program under section 11 of chapter 25A of the General Laws; provided, that funds in this item shall be allocated from time to time by the commissioner of energy resources for the purposes of the energy audit program, the energy conservation improvement program, and the alternative energy property program, and for other programs that increase energy efficiency and the deployment of renewable resources at public facilities; provided further, that when expending these funds, the commissioner shall take into consideration, among other relevant factors, the amount of available state and federal financial resources, the needs of each program with respect to public buildings and facilities, the volume of requests or expected requests from other entities for assistance under each program, the expected costs and public benefits of each program and, after information has become available from the energy audit program, the priorities and needs indicated by that information; provided further, that funds shall be expended on the buildings and facilities owned by public entities; and provided further, that grants may be issued for the purposes of this item .....\$13,250,000

**MASSACHUSETTS DEPARTMENT OF EDUCATION**

*University of Massachusetts Amherst*

7100-0299 For the state geologist, provided, that funds from this item may be allocated for the purposes of leveraging additional federal funds to support bedrock, fracture, and geologic surface mapping,

1757 natural hazards mapping, and subsurface data  
1758 preservation in support of the commonwealth's  
1759 interest in gathering and disseminating geologic  
1760 information;, provided that funds from this item  
1761 may also be used to support the dissemination of  
1762 geologic information in digital form.....\$2,500,000  
1763

1764 SECTION 3. To provide for a statewide program of improvement and preservation  
1765 of the transportation assets of the commonwealth owned, managed, and maintained by  
1766 the department of conservation and recreation, the sums set forth in section 4, for the  
1767 several purposes and subject to the conditions specified in that section, are hereby made  
1768 available, subject to the laws regulating the disbursement of public funds, which sums are  
1769 in addition to amounts previously appropriated for these purposes.  
1770

1771 SECTION 4.

1772 **EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS**

1773 *Department of Conservation and Recreation*

1774 2890-7010 For the design, construction, reconstruction, repair,  
1775 improvement, or rehabilitation of department of  
1776 conservation and recreation parkways, boulevards,  
1777 bridges and related appurtenances and equipment  
1778 including, but not limited to, the costs of  
1779 engineering and other services for those projects  
1780 rendered by department of conservation and  
1781 recreation employees or by consultants; provided,  
1782 that funds may be expended for pedestrian and  
1783 bicycle safety, traffic calming, landscape  
1784 improvements, street lighting, and safety  
1785 equipment; provided further, that all work funded  
1786 by this item shall be carried out according to  
1787 standards developed by the department of  
1788 conservation and recreation pursuant to historic  
1789 parkways preservation treatment guidelines to

1790 protect the scenic and historic integrity of the  
1791 bridges and parkways under its control; provided  
1792 further, that not less than \$1,300,000 shall be  
1793 expended for sidewalk and drainage improvements  
1794 to the Lynn Fells Parkway in Saugus; provided  
1795 further, that not less than \$50,000 shall be  
1796 expended for the repair of streetlamps on the  
1797 Mystic Valley Parkway; provided further, that not  
1798 less than \$420,000 shall be expended for design  
1799 and construction of a traffic light at the intersection  
1800 of Grove Street and Greenough Boulevard in  
1801 Watertown; and provided further, that not less than  
1802 \$900,000 shall be expended to complete Phase I of  
1803 Blue Hills Parkway improvements .....\$75,000,000

1804  
1805 2890-7011 For the design, maintenance, reconstruction,  
1806 repair, and rehabilitation of vehicle bridges under  
1807 the control of the department of conservation and  
1808 recreation; provided, that notwithstanding any  
1809 general or special law to the contrary, funds may  
1810 be allocated through an interagency service  
1811 agreement to the department of highways;  
1812 provided further, that the agreement shall specify  
1813 that a spending plan shall be filed each year with  
1814 the commissioner of conservation and recreation  
1815 providing a schedule of outlays from this item;  
1816 provided further, that the agreement shall specify  
1817 that a report shall be filed by the department of  
1818 highways and the department of conservation and  
1819 recreation to the joint committee on transportation  
1820 and the joint committee on environment, natural  
1821 resources and agriculture by September 30 of each  
1822 year detailing the status of work undertaken  
1823 through this item for the previous fiscal year;

1824 provided further, that all work funded by this item  
1825 undertaken by the department of highways under  
1826 any interagency service agreement shall be carried  
1827 out according to standards developed by the  
1828 department of conservation and recreation pursuant  
1829 to historic parkways preservation treatment  
1830 guidelines to protect the scenic and historic  
1831 integrity of the bridges and parkways under its  
1832 control; and provided further, that final design of  
1833 the bridges shall be subject to the review and  
1834 approval of the commissioner of conservation and  
1835 recreation; provided further, that notwithstanding  
1836 this act or any other general or special law to the  
1837 contrary, the Storrow Drive tunnel, as part of the  
1838 Storrow Esplanade parkland in Boston, shall  
1839 continue to be under the design control of the  
1840 department of conservation and recreation,  
1841 including compliance sections 61 to 62H, inclusive  
1842 of chapter 30 of the General Laws .....\$250,000,000.

1843

1844 SECTION 4A. Chapter 10 of the General Laws is hereby amended by inserting  
1845 after section 35HH the following section:-

1846 Section 35II. (a) There shall be established the Salisbury Beach Preservation  
1847 Trust Fund to be used, without further appropriation, for the long-term preservation and  
1848 maintenance of Salisbury Beach. Any balance in the fund at the end of the fiscal year  
1849 shall not revert to the General Fund, but shall remain available for expenditure in  
1850 subsequent fiscal years. No expenditure made from the fund shall cause the fund to  
1851 become deficient at any point during a fiscal year.

1852 (b) Notwithstanding any general or special law to the contrary, the department of  
1853 conservation and recreation shall impose a surcharge of \$2 upon each fee charged and  
1854 collected from admission into, camping, and parking in, the Salisbury Beach Reservation.  
1855 The additional monies collected from the surcharge shall be deposited into the Salisbury  
1856 Beach Preservation Trust Fund.

1857

1858           SECTION 4B. Section 6 of chapter 29C of the General Laws, as appearing in the  
1859 2006 Official Edition, is hereby amended by inserting after the words “cent”, in line 34,  
1860 the following words:- , but all permanent loans and other forms of financial assistance  
1861 made by the trust to finance the costs of certain water pollution abatement projects on the  
1862 department’s intended use plan for calendar year 2009 to calendar year 2019, inclusive,  
1863 that meet the criteria listed below shall provide for a subsidy or other assistance in the  
1864 payment of debt service such that the loans and other forms of financial assistance shall  
1865 be the financial equivalent of a loan made at a zero rate of interest, and the costs of water  
1866 pollution abatement projects on an intended use plan that are eligible for a permanent  
1867 loan or other financial assistance from the trust at the financial equivalent of a loan made  
1868 at a zero rate of interest shall not exceed 35 per cent of the total costs of all water  
1869 pollution abatement projects on the intended use plan. Projects that meet the following  
1870 criteria, as verified by the department of environmental protection, are eligible for the  
1871 zero rate of interest loans:

1872           (1) the project is primarily intended to remediate or prevent nutrient enrichment of  
1873           a surface water body or a source of water supply;

1874           (2) the applicant is not currently subject, due a violation of a nutrient-related total  
1875           maximum daily load standard or other nutrient based standard, to a department  
1876           of environmental protection enforcement order, administrative consent order or  
1877           unilateral administrative order, enforcement action by the United States  
1878           Environmental Protection Agency or subject to a state or federal court order  
1879           relative to the proposed project;

1880           (3) the applicant has a Comprehensive Wastewater Management Plan approved  
1881           pursuant to regulations adopted by the Department of Environmental Protection;

1882           (4) the project has been deemed consistent with the regional water resources  
1883           management plans if one exists;



the applicant has adopted land use controls, subject to the review and approval of the department of environmental protection in consultation with the department of housing and economic development and, where applicable any regional land use regulatory entity, intended to limit wastewater flows to the amount authorized under zoning and wastewater regulations as of the date of the approval of the CWMP.

SECTION 4C. Paragraph (1) of subsection (c) of section 22 of chapter 21A of the General Laws, as appearing in section 7 of chapter 169 of the acts of 2008, is hereby amended by striking out clause (i) and inserting in place thereof the following clause:-

(i) to reimburse a municipality in which the property tax receipts from a coal-fired electric generating station including, for the purposes of this clause, payments in lieu of taxes and other compensation specified in an agreement between a municipality and an affected property owner, are reduced; provided, however that the amount of the payment shall be the difference between the amount of the property tax receipts, as described above, in fiscal year 2008 and the amount of the property tax receipts, as described above, in subsequent tax years; provided further, that no reimbursement shall be made if, in a tax year, the aggregate amount paid to a municipality by the owner of an electric generating station including, but not limited to, payments in lieu of taxes and property taxes, exceeds the aggregate amount paid to that municipality by that owner in fiscal year 2008; and provided further, that payments from the fund shall be prioritized so that the first payments from the fund shall be made to municipalities under this clause.

SECTION 4C. The General Laws are hereby amended by inserting after chapter 30B the following:-

“Chapter 30C. PUBLIC CONTRACT INTEGRITY

Section 1. For the purposes of this chapter, the following terms shall have the following meanings:

“Public employer”: a department, agency or public instrumentality of the commonwealth and any person, corporation, partnership, sole proprietorship, joint venture or other business entity providing goods or services to a department, agency or public instrumentality of the commonwealth including, but not limited to, the

Massachusetts Turnpike Authority, the Massachusetts Water Resources Authority, the Massachusetts Port Authority and the Massachusetts Bay Transportation Authority.

“Work authorization program”: any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or an equivalent work authorization program operated by that department, the United States Department of Labor, the Social Security Administration, other federal agency or a private verification system authorized by the director labor to verify information of newly-hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA) and its progeny.

Section 2. No public employer shall enter into a contract for the provision of goods or services within the commonwealth unless the contractor registers and participates in a work authorization program to verify information of all new employees and certifies to that effect in writing to the director of labor.

Section 3. No contractor or subcontractor who enters a contract with a public employer shall enter into such a contract or subcontract in connection with the provision of goods or services in the commonwealth unless the contractor or subcontractor registers and participates in a work authorization program to verify information of all employees and certifies to that effect in writing to the director of labor.

Section 4. This chapter shall be enforced without regard to race, religion, gender, ethnicity, or national origin.

Section 5. The director of labor shall prescribe forms and promulgate rules and regulations deemed necessary in order to administer and effectuate the provisions of this chapter.

Section 6. The inspector general shall develop and promulgate regulations for the purpose of ensuring that any person receiving funds pursuant to a contract awarded subject to chapter 30B and section 44A of chapter 149 is in compliance with federal laws pertaining to immigration and citizenship including, but not limited to, 42 U.S.C.

1436(a). Such regulations shall include, but not be limited to, the ascertaining and verification of immigration or citizenship status through a work authorization program maintained by the United States Department of Homeland Security or its substantial equivalent.

Section 7. No contract shall be awarded by or to a public employer, and no public funds shall be expended in accordance with such a contract, unless the public employer named in the contract complies with the regulations prescribed in this chapter.

Section 8. No funds shall be expended in accordance with a contract awarded by or to a public employer which will result in the payment of any kind to a person not in compliance with any and all federal laws pertaining to immigration and citizenship, including but not limited to 42 U.S.C. 1436(a).”

Section 9. The auditor is hereby authorized to conduct random audits to ensure compliance with the provisions of this chapter.

SECTION 5. Section 14 of chapter 61A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out, in line 11, the words “forest use of” and inserting in place thereof the following words:- agricultural or horticultural use of such.

SECTION 6. Section 9 of chapter 61B of the General Laws, as so appearing, is hereby amended by striking out, in line 11, the words “forest use of such land” and inserting in place thereof the following words:- use and care of such land for recreational purposes.

SECTION 7. Section 6 of chapter 62 of the General Laws is hereby amended by adding the following subsection:-

(o)(1) As used in this subsection, the following words shall have the following meanings:-

“Bargain sale”, the sale of an interest in real property by a taxpayer at a cost below appraised market value, when a portion of the value of the interest in real property is a qualified donation, as such term is defined herein and which meets the requirements of section 1011(b) of the Internal Revenue Code of 1986, as amended.

"Certified land", an interest in real property, the donation or bargain sale of which has first been determined by the secretary of environmental affairs to be in the public interest for natural resource protection including, but not limited to, drinking water

1977 supplies, wildlife habitat and biological diversity, agricultural and forestry production,  
1978 recreational opportunities, archaeological and historical resources, or scenic and cultural  
1979 values; provided, however, that the secretary of environmental affairs shall assure that all  
1980 certified lands are protected in perpetuity.

1981 "Interest in real property", any right in real property in the commonwealth, with  
1982 or without improvements thereon, or water including, but not limited to, fee simple, life  
1983 estate, restriction, easement, covenant, condition, partial interest, remainder, future  
1984 interest, lease, license, mineral right, riparian right or other interest or right in real  
1985 property that may be conveyed concerning the power to transfer property.

1986 "Public or private conservation agency", the commonwealth, or any subdivision  
1987 thereof, or any municipality, or private nonprofit corporation organized for the purposes  
1988 of land conservation, which is authorized to do business in the commonwealth, and which  
1989 has tax-exempt status as a nonprofit charitable organization as described in Section  
1990 501(c)(3) of the Internal Revenue Code of 1986, as amended.

1991 "Qualified donation," a donation, or the donated portion of a bargain sale, made in  
1992 perpetuity of a fee interest in real property or a less-than-fee interest in real property,  
1993 including a conservation restriction, agricultural preservation restriction or watershed  
1994 preservation restriction, pursuant to chapter 184, provided that such less-than-fee interest  
1995 meets the requirements of qualified conservation contributions under section 170(h) of  
1996 the Internal Revenue Code of 1986.

1997 "Taxpayer," a taxpayer subject to the income tax under this chapter.

1998 (2) A taxpayer making a qualified donation of certified land to a public or private  
1999 conservation agency shall be allowed a credit against the taxes imposed by this chapter.  
2000 The credit shall be equal to 50 per cent of the fair market value of the qualified donation.  
2001 The amount of the credit that may be claimed by a taxpayer for each qualified donation  
2002 shall not exceed \$50,000.

2003 (3) The fair market value of certified land shall be substantiated by a qualified  
2004 appraisal, as defined in United States Treasury Regulation section 1.170A-13(c)(3), and  
2005 shall be prepared by a qualified appraiser, as defined in United States Treasury  
2006 Regulation section 1.170A-13(c)(5). For any taxpayer to qualify for the credit provided  
2007 for in subdivision (2), the taxpayer shall at the same time that the taxpayer files a return

for the taxable year in which the credit is claimed, file with the department a summary of a qualified appraisal or, if requested by said department, the taxpayer shall submit the appraisal itself.

(4) In any one tax year, the credit used may not exceed the amount of tax liability otherwise owed by the taxpayer. The tax credit shall be taken against the taxes imposed under this chapter and shall not be refundable. Any amount of the credit that exceeds the tax due for a taxable year may be carried forward by the taxpayer to any of the 10 subsequent tax years.

(5) All or any tax credits issued in accordance with this section may be in addition to any charitable deductions claimed on the taxpayer's federal income tax return for the same qualified donations of certified lands.

(6) Any taxpayer claiming a state income tax or excise tax credit under this section may not claim an additional state income tax credit or deduction during any one tax year for costs related to the same interest in certified lands.

(7) Any tax credits which arise under this section from the qualified donation of certified land by a pass-through tax entity such as a trust, estate, partnership, corporation, limited partnership, limited liability partnership, limited liability corporation, subchapter S organization, or other fiduciary, shall be used either by such entity in the event it is the taxpayer on behalf of such entity or by the member, partner, shareholder, or beneficiary, as the case may be, in proportion to its interest in such entity in the event that income, deductions, and tax liability passes through such entity to such member, partner, shareholder, or beneficiary. Such tax credits may not be claimed by both the entity and the member, partner, shareholder, or beneficiary, for the same conveyance.

(8) Any tax credits which arise under this chapter from the qualified donations of certified land by a married couple shall be used only if the spouses file a joint return, if both spouses are required to file Massachusetts income tax returns. If only one spouse is required to file a Massachusetts income tax return, that spouse may claim the credit allowed by this chapter on a separate return.

SECTION 8. Chapter 63 of the General Laws, as appearing in the 2006 Official Edition is hereby amended by inserting after section 38W the following section:-

2039           Section 38X. (a) As used in this section, the following words shall have the  
2040 following meanings:-

2041           “Bargain sale”, the sale of an interest in real property by a taxpayer at a cost  
2042 below appraised market value, when a portion of the value of the interest in real property  
2043 is a qualified donation, as such terms are defined herein, and which meets the  
2044 requirements of section 1011(b) of the Internal Revenue Code of 1986, as amended.

2045           "Certified land", an interest in real property, the donation or bargain sale of which  
2046 has first been determined by the secretary of environmental affairs to be in the public  
2047 interest for natural resource protection including, but not limited to, drinking water  
2048 supplies, wildlife habitat and biological diversity, agricultural and forestry production,  
2049 recreational opportunities, archaeological and historical resources, or scenic and cultural  
2050 values; provided, however, that the secretary of environmental affairs shall assure that all  
2051 certified lands are protected in perpetuity.

2052           "Interest in real property", any right in real property in the commonwealth, with  
2053 or without improvements thereon, or water, including, but not limited to, fee simple, life  
2054 estate, restriction, easement, covenant, condition, partial interest, remainder, future  
2055 interest, lease, license, mineral right, riparian right, or other interest or right in real  
2056 property that may be conveyed concerning the power to transfer property.

2057           "Public or private conservation agency," the commonwealth, or any subdivision  
2058 thereof, or any municipality, or private nonprofit corporation organized for the purposes  
2059 of land conservation, which is authorized to do business in the commonwealth, and which  
2060 has tax-exempt status as a nonprofit charitable organization as described in section  
2061 501(c)(3) of the Internal Revenue Code of 1986, as amended.

2062           “Qualified donation,” a donation, or the donated portion of a bargain sale, made in  
2063 perpetuity of a fee interest in real property or a less-than-fee interest in real property,  
2064 including a conservation restriction, agricultural preservation restriction or watershed  
2065 preservation restriction, pursuant to chapter 184, provided that such less-than-fee interest  
2066 meets the requirements of qualified conservation contributions under section 170(h) of  
2067 the Internal Revenue Code of 1986.

2068           “Taxpayer,” a taxpayer subject to the income tax under this chapter.

(b) A taxpayer making a qualified donation of certified land to a public or private conservation agency shall be allowed a credit against the taxes imposed by this chapter. The credit shall be equal to 50 percent of the fair market value of the qualified donation. The amount of the credit that may be claimed by a taxpayer for each qualified donation shall not exceed fifty thousand dollars.

(c) The fair market value of certified land shall be substantiated by a qualified appraisal, as defined in United States Treasury Regulation section 1.170A-13(c)(3), and shall be prepared by a Qualified Appraiser, as defined in United States Treasury Regulation section 1.170A-13(c)(5). For any taxpayer to qualify for the credit provided for in subsection (b) of this section, the taxpayer shall at the same time as the taxpayer files a return for the taxable year in which the credit is claimed, file with the department a summary of a qualified appraisal or, if requested by said department, the taxpayer shall submit the appraisal itself.

(d) In any one tax year the credit used may not exceed the amount of tax liability otherwise owed by the taxpayer. The tax credit shall be taken against the taxes imposed under this chapter and shall not be refundable. Any amount of the credit that exceeds the tax due for a taxable year may be carried forward by the taxpayer to any of the 10 subsequent taxable years.

(e) Any tax credits issued in accordance with this section may be in addition to any charitable deductions claimed on the taxpayer's federal income tax return for the same qualified donations of certified lands.

(f) Any taxpayer claiming a state income tax or excise tax credit under this section may not claim an additional state income tax credit or deduction during any one tax year for costs related to the same interest in certified lands.

(g) Any tax credits which arise under this section from the qualified donation of certified land by a pass-through tax entity such as a trust, estate, partnership, corporation, limited partnership, limited liability partnership, limited liability corporation, subchapter S organization, or other fiduciary, shall be used either by such entity in the event it is the taxpayer on behalf of such entity or by the member, partner, shareholder, or beneficiary, as the case may be, in proportion to its interest in such entity in the event that income, deductions, and tax liability passes through such entity to such member, partner,

shareholder, or beneficiary. Such tax credits may not be claimed by both the entity and the member, partner, shareholder, or beneficiary, for the same conveyance.

SECTION 8A. Section 44 of chapter 85 of the acts of 1994, as most recently amended by section 19 of chapter 236 of the acts of 2002, is hereby further amended by inserting after the word “reservation”, in line 45, the following words:- , CCC Camp in Upton state forest

SECTION 8B Chapter 83 of the General Laws is hereby amended by inserting after section 1 the following 8 sections:-

Section 1A. Notwithstanding the provisions of sections 1 and 3 to the contrary, any municipality or sewer district adopting this section is hereby authorized to lay out, construct, maintain and operate a system or systems of common sewers and main drains in public or private ways for that part of its territory as it adjudges necessary to reduce or eliminate the impacts of nutrient enrichment on surface water bodies or sources of drinking water with such connections and other works as may be required for a system or systems of sewerage and drainage, and sewage treatment and disposal. Adoption of this section is subject to majority vote of the municipality and subject further to said municipality having an approved Comprehensive Water Resources Management Plan (CWMP), as defined by the Department of Environmental Protection (DEP).

Section 1B. At the commencement of operation of the municipalities’ sewer system authorized by section 1A of chapter 83 of the General Laws, the owner of land abutting upon a private or public way in which a common sewer has been laid shall be required by the board or officer having charge of the maintenance and repair of sewers to connect such land with a common sewer only if the land in question is within the area(s) identified in the department of environmental protection-approved CWMP and has been specifically identified in the plan as requiring wastewater collection and treatment for flows in existence on said properties at the time of adoption of this act in order to protect surface waters or drinking water resources from the effects of nutrient enrichment; or the on-site subsurface sewage disposal system serving said land fails to comply with the provisions of 310 CMR 15.000, et seq. and an on-site subsurface sewage disposal system



cannot be constructed on the property in compliance with said regulations and an enhanced treatment system under remedial use cannot be designed and constructed to adequately treat sewage from said property; or to service housing of which at least 15 per cent of the housing units are deed restricted to residents with incomes no greater than 80 per cent of the area median income paying no more than 30 per cent of their income towards housing. The town shall not allow an abutting property owner utilizing an enhanced treatment system under remedial use to opt out of connecting to the sewer system unless the town implements a monitoring and inspection plan approved by the department of environmental protection for such remedial system or systems. Such plan may include the assessment of a reasonable fee by the board of health to implement the monitoring and inspection plan

Notwithstanding any provision of sections 1 and 3 to the contrary, owners of land not identified in the CWMP as needing to be connected to the municipal treatment works shall not be permitted to connect to the sewer system. Said plan may be amended from time to time by the board or officer having charge of sewers, after a public hearing conducted to consider such amendment, and upon approval of the department of environmental protection. The board or officer having charge of sewers shall adopt regulations within 120 days after the adoption of this act establishing publication and notification procedures to carry out the purposes of this section.

Section 1C. After commencement of operations of the sewer system authorized pursuant to section 1A, additional connections shall be permitted within the final area of concern by such board or officer having charge of the maintenance and repair of sewers, subject to available capacity, only upon certification by the board of health that the on-site subsurface sewage disposal system on land abutting upon a private or public way in which a common sewer has been laid cannot comply with the provisions of 310 CMR 15.000, et seq., or in the case of new construction, expansion of an existing structure, a change in use, or increases in flow from said land, such expansion, change in use, or increase in flow does not result in sewage flow in excess of the amount of said regulations flow capacity or actual flow resulting from a legal use of said land, whichever is greater, which existed on the date of adoption of this act as determined by the board of health. Notwithstanding anything to the contrary contained herein, the board or officer

2162 having charge of the maintenance and repair of sewers may at any time permit  
2163 extensions, new connections or increases in flow to the sewer system, subject to capacity,  
2164 to serve municipal buildings, public restrooms, or other public service uses, including but  
2165 not limited to housing of which at least 15 per cent of the housing units are deed  
2166 restricted to residents with incomes no greater than 80 per cent of the area median income  
2167 paying no more than 30 per cent of their income towards housing..

2168         Section 1D. Notwithstanding the provisions of chapters 80 and 83 to the contrary,  
2169 a municipality acting under section 1A may make assessments upon owners of land  
2170 abutting upon a private or public way in which a common sewer has been laid only at the  
2171 time of actual connection to the common sewer. Nothing herein shall preclude the town  
2172 from making estimated sewer assessments pursuant to section 15B. The municipality may  
2173 make equitable adjustments to the annual charges established pursuant to section 16 for  
2174 the use of common sewers by owners of land who connect under this act for the purpose  
2175 of insuring an equitable distribution of the total sewer system costs, including  
2176 assessments and sewer use charges.

2177         Section 1E. Every decision by the board or officer having charge of sewers  
2178 permitting or denying a connection to the sewer system pursuant to sections 1A to 1D,  
2179 inclusive shall be made in writing. Any person aggrieved by such a decision may appeal  
2180 said decision within 30 days of issuance pursuant to the provisions of section 14 of  
2181 chapter 30A.

2182         Section 1F. In carrying out the provisions of sections 1A to 1E, inclusive, a  
2183 municipality shall not discriminate against any person on the grounds of race, color,  
2184 marital status, physical disability, age, sex, sexual orientation, religion, ancestry or  
2185 national origin in any manner prohibited by federal or state law.

2186         Section 1G. Notwithstanding the provisions of any general or special law to the  
2187 contrary, a municipality with a comprehensive water resources management plan under  
2188 review or approved by the department of environmental protection may establish and  
2189 maintain a separate account into which it may collect and deposit and expend funds from  
2190 property owners for the difference in cost between a conventional subsurface wastewater  
2191 disposal system as required in 310 CMR 15.00, et seq, and the cost of a subsurface  
2192 wastewater disposal system designed to reduce the nitrogen discharge from said system

as long as the property in question is identified in the CWMP as being a priority for the installation of a wastewater collection and treatment system for the purposes of reducing the impacts of excessive nitrogen on marine waters and drinking water supplies. Funds from this account may be used only for the purpose of the construction, maintenance and operation of said wastewater treatment and collection works and shall be applied to toward the costs of connection and or betterment assessed to the property(s) in question.

Section 1H. Notwithstanding section 7 of chapter 44, a municipality or sewer district adopting section 1A may borrow and assess betterments for a term not to exceed 50 years or the useful life as approved by the department of environmental protection, whichever is shorter, for the construction its wastewater treatment systems and conveyances determined; and provided further that short term borrowing may extend for a period not to exceed 5 years

SECTION 8C. Subsection (a) of section 103 of chapter 182 of the acts of 2008 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Notwithstanding sections 40E to 40K, inclusive, and sections 52 to 55, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, the division of capital asset management and maintenance, on behalf of and in consultation with the department of conservation and recreation may, using such competitive proposal process as the division considers necessary or appropriate, lease and enter into other agreements, for terms not to exceed 25 years with 1 or more operators, for the Ponkapoag golf course in the town of Canton so as to provide for the continued use, operation, maintenance, repair and improvement of the golf courses, practice greens, driving range, restaurant or any other structure and associated lands which constitute the facilities of the Ponkapoag golf course; provided, however, that the division of capital asset management and maintenance, in consultation with the department of conservation and recreation shall give priority to a proposal submitted by the town of Canton or by a nonprofit organization within the town of Canton which complies with the requirements of this section. The division of capital asset management and maintenance shall provide the town of Canton with not less than 45 days to determine whether the town shall submit a

proposal before soliciting proposals under subsection (b); and provided further, that if the town of Canton executes a lease of the golf course under this section it shall not assign or otherwise transfer the lease to a third party.

SECTION 8D. The third paragraph of said subsection (a) of said section 103 of said chapter 182 is hereby amended by striking out the words "General Fund" and inserting in place thereof the following words:- Blue Hills Reservation Trust Fund in accordance with section 34C of chapter 92 of the General Laws.

SECTION 8E. Subsection (b) of said section 103 of said chapter 182 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

If no lease agreement is reached with the town of Canton under subsection (a) before April 1, 2009, the division of capital asset management and maintenance, in consultation with and on behalf of the department of conservation and recreation, shall solicit proposals through a request for proposals which shall include key contractual terms and conditions to be incorporated into the contract including, but not limited to: (1) a comprehensive list of all recreational facilities operated by the responsive bidder or offeror in the last 4 years; (2) other facilities management or experience of the responsive bidder or offeror; (3) a senior citizens' and children's discount program; (4) reservation policies; (5) proposed reasonable rates that to ensure continued public access; (6) required financial audits; (7) policies to encourage use of the golf course by persons of all races and nationalities; (8) safety and security plans; (9) seasonal opening and closing dates; (10) hours of operation; (11) holiday recognition; (12) grievance processes; (13) clubhouse license; (14) a provision that the facility shall be maintained as a 36-hole public golf course; (15) a provision that the lessee shall not construct any facilities on the grounds of the golf course or any property appurtenant thereto; provided, however, that the lessee may construct facilities with the written approval of the commissioner of conservation and recreation and the majority vote of the board of selectmen in the town of Canton; and (16) a host community agreement between the designated operator and

the town of Canton. Any increase in fees, including fees for season passes or club memberships, and any increase in charges for greens' fees or golf cart or club rentals shall be approved in writing by the commissioner of conservation and recreation; provided, however, that in considering any request for an increase in fees, the commissioner shall consider, without limitation: (i) any capital investment made by the contractor or lessee; (ii) the fees and charges at other public golf courses within reasonable proximity; and (iii) the length of time since the last fee increase.

SECTION 8F. The third paragraph of section 104 of said chapter 182 is hereby amended by striking out the words "General Fund" and inserting in place thereof the following words:- Blue Hills Reservation Trust Fund in accordance with section 34C of chapter 92 of the General Laws.

SECTION 8G. The third paragraph of subsection (a) of section 105 of said chapter 182 is hereby amended by striking out the words "General Fund" and inserting in place thereof the following words:- Blue Hills Reservation Trust Fund in accordance with section 34C of chapter 92 of the General Laws

SECTION 9. To meet the expenditures necessary in carrying out section 2, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth, in an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of \$1,385,955,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Preservation and Improvement of Environmental Assets Loan Act of 2008, and shall be issued for a maximum terms of years, not exceeding 30 years, that the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All these bonds shall be payable not later than June 30, 2043. All interest and payments on account of principal of these obligations shall be payable from the General Fund unless otherwise specified. Bonds and interest on bonds issued under the authority of this section, notwithstanding any other provision of this act, shall be general obligations of the commonwealth.

2285

2286           SECTION 10. To meet the expenditures necessary in carrying out section 4, the  
2287 state treasurer shall, upon request of the governor, issue and sell bonds of the  
2288 commonwealth in an amount to be specified by the governor from time to time, but not  
2289 exceeding, in the aggregate, the sum of \$325,000,000. All bonds issued by the  
2290 commonwealth, as aforesaid, shall be designated on their face, Environmental  
2291 Transportation Assets Loan Act of 2008 and shall be issued for a maximum term of  
2292 years, not to exceed 30 years, which the governor may recommend to the general court  
2293 under section 3 of Article LXII of the Amendments to the Constitution. All these bonds  
2294 shall be payable not later than June 30, 2043. All interest and payments on account of  
2295 principal of these obligations shall be payable from the General Fund unless otherwise  
2296 specified. Bonds and interest on bonds issued under the authority of this section,  
2297 notwithstanding any other provision of this act, shall be general obligations of the  
2298 commonwealth.

2299

2300           SECTION 11. Each agency acquiring land or an interest in land under section 2  
2301 may expend an amount not to exceed 5 per cent of the amount appropriated to that  
2302 agency in section 2 for the purpose of reimbursing nonprofit land conservation  
2303 organizations or land trusts for reasonable expenses directly associated with the  
2304 acquisition of land or interests in land subsequently conveyed to the commonwealth.  
2305 Reimbursements shall be made at the discretion of the agency. The secretary of energy  
2306 and environmental affairs shall determine by regulation what shall constitute reasonable  
2307 expenses. If the commonwealth does not take title to the property through no fault of the  
2308 nonprofit organization or the commonwealth, the commonwealth may reimburse the  
2309 nonprofit organization for reasonable expenses associated with due diligence. An  
2310 organization receiving a reimbursement under this section shall convey the land or  
2311 interest in land to the agency for an amount not to exceed the actual purchase price paid  
2312 by the organization for the land or interest in land in addition to any reimbursement  
2313 received under this section.

2314

2315           SECTION 12. No amounts authorized in section 2 shall be used by a recipient  
2316 municipality for the supplementing or supplanting of normal operating expenses of any  
2317 function of the municipality.

2318  
2319           SECTION 13. Notwithstanding any general or special law to the contrary, funds  
2320 may be expended for services rendered by agency employees or by consultants necessary  
2321 to support projects authorized in section 2 and section 4.

2322  
2323           SECTION 14. Notwithstanding any general or special law to the contrary, upon  
2324 acquiring any fee interest in land for purposes within Article XCVII of the Amendments  
2325 to the Constitution, all state agencies, commissions and boards expending or receiving  
2326 state funds under this act shall obtain the approval of the secretary of energy and  
2327 environmental affairs before implementing or endorsing any prohibition of fishing,  
2328 hunting or trapping on that land and shall provide the secretary with written justification  
2329 of the prohibition.

2330  
2331           SECTION 15. Notwithstanding section 30 of chapter 29 of the General Laws or  
2332 section 65 of chapter 30 of the General Laws, a portion of the funds authorized in section  
2333 2 may be used for the costs associated with the purchase of title insurance and services  
2334 for title examinations, reports and certifications.

2335  
2336           SECTION 16. All expenditures from items in section 2 authorized as grants to  
2337 non-public entities shall be expended for public purposes and shall comply with Article  
2338 103 of the Amendments to the Constitution and 815 CMR 2.00.

2339  
2340           SECTION 17. The water pollution abatement trust established under chapter 29C  
2341 of the General Laws may make a loan to the city of Worcester for the components within  
2342 the city of the project described in Department of Conservation and Recreation Waste  
2343 Water Project No. WM93-001-SIA, Waste Water Facilities Plan West Boylston- Holden-  
2344 Wachusett Reservoir Project, which are on the department of environmental protection's  
2345 intended use plan for calendar year 2008. Notwithstanding any general or special law to

the contrary, the commonwealth shall provide contract assistance to the trust under section 6 or section 6A of said chapter 29C in each fiscal year of the commonwealth in amounts sufficient to provide a subsidy or other assistance to the trust for all of the debt service payable on the loan.

SECTION 18. The division of marine fisheries shall make expenditures provided for in item 2300-7018 of section 2 of this act for a shore-based monitoring program of federally-managed fisheries for herring and mackerel within the commonwealth in accordance with this section.

The division shall make such expenditures and operate the program under the direction of an oversight committee, which shall consist of the 9 members of the marine fisheries advisory commission and 1 additional member who shall be a chairperson appointed by the secretary of environmental affairs. The division shall report annually to the oversight committee on program performance and expenditures.

All vessels in federally-managed herring and mackerel fisheries landing catch in the commonwealth shall offload the catch only under the supervision of certified shore-based fishery observers who are either commonwealth employees or independent third-party contractors, who will ensure that, at minimum, the following data are collected, recorded, and made available to the public in summarized fashion within 48 hours in an easily understood format that is consistent with national marine fisheries service requirements for the protection of individual vessel and dealer privacy: 1) actual weights of all landed target catch, incidental catch and bycatch, using methods approved by the division of standards; and 2) a breakdown, by species, of the composition of the entire landed catch by actual weight, landed catch to include all fish offloaded whether or not retained for processing. The observers shall also file an annual report summarizing the catch data for the previous year.

For the purposes of this section, a certified shore-based fishery observer means someone who has been certified by the commonwealth or the national marine fisheries service under the observer certification guidelines outlined in 50 CFR Part 648.11, or the equivalent as approved by the program oversight committee, and who has no financial interest related to any small mesh pelagic fishery.



2377

2378           SECTION 19. Notwithstanding any general or special law to the contrary, the  
2379 unexpended and unencumbered balances of the bond funded authorizations in the  
2380 following accounts shall cease to be available for expenditure: 2240-9101, 2240-9105,  
2381 2240-9106, 2240-9107, 2890-0012, 2250-8881, 2260-9882, 2820-7882, 2820-8881,  
2382 2820-8882, 2820-8883, 2840-8886, 2840-8889, 2890-0013, 2890-0014, 2890-0015,  
2383 2890-0016, 2820-8936, 2800-0950, 2800-0951, 2800-0952, 2820-8951, 2840-8950,  
2384 2840-8952, 2840-8956, 2850-9951, 2890-0017, 2890-0019, 2260-9965, 2895-8968,  
2385 2000-7968, 2000-9963, 2250-9959, 2300-7967, 2300-8961, 2300-8970, 2320-8960,  
2386 2320-8978, 2800-1961, 2820-8960, 2820-8961, 2840-8963, 2840-8965, 2850-6966,  
2387 2850-6967, 2850-9969, 2896-8967, 2820-6996, 2840-9990, 2895-8998, 2000-1997,  
2388 2000-7992, 2000-7993, 2300-7991, 2300-7992, 2800-1122, 2800-7991, 2800-7992,  
2389 2800-7993, 2800-7994 2820-1420, 2840-7991, 2840-7992, 2840-7993, 2840-7994.

2390

2391           SECTION 20. (a) There shall be a special water infrastructure finance  
2392 commission to develop a comprehensive, long-range water infrastructure finance plan for  
2393 the commonwealth and its municipalities.

2394           (b) The commission shall consist of the commissioner of environmental  
2395 protection or his designee, the state treasurer or his designee, 1 member of the senate; 1  
2396 member of the house of representatives; 1 person to be appointed by the president of the  
2397 senate and 1 person to be appointed by the speaker of the house of representatives, each  
2398 of whom shall be a representative of a planning organization, environmental consumer  
2399 organization or other public interest organization; 1 person to be appointed by the  
2400 minority leader of the senate and 1 person to be appointed by the minority leader of the  
2401 house, each of whom shall be from different geographic regions of the commonwealth  
2402 and who shall be representatives of the business community; a representative of the  
2403 Boston Water and Sewer Commission; and 9 persons to be appointed by the governor  
2404 who shall not be employees of the executive branch and who shall reside in different  
2405 geographic regions of the commonwealth, 1 of whom shall be a representative of the  
2406 American Council of Engineering Companies of Massachusetts, 1 of whom shall be a  
2407 representative of the Utility Contractors Association of New England, 1 of whom shall be

a representative of the Massachusetts Waterworks Association, 1 of whom shall be a representative of the Massachusetts Municipal Association, 1 of whom shall be a representative of Clean Water Action, 1 of whom shall be a representative of Associated Industries of Massachusetts, 1 of whom shall be a representative of the Environmental League of Massachusetts, 1 of whom shall be a representative of the Conservation Law Foundation and 1 of whom shall be a representative of the Massachusetts Water Pollution Control Association. The aforementioned organizations shall provide a list of at least 3 but not more than 5 candidates for consideration by the governor. Each of the members shall be an expert or shall have experience in the field of law or public policy, water, wastewater or storm water planning, design and construction of water, wastewater or storm water projects, utility management, management consulting or organizational finance; provided, however, that at least 1 member shall have expertise in organizational finance. The governor shall designate a member to serve as the chairperson of the commission but the chairperson shall not be the commissioner of environmental protection, the state treasurer or their designees. The members of the commission shall be appointed not later 90 days after the effective date of this act and serve until the completion of the long-range infrastructure finance plan.

(c) In the course of its deliberations, the commission shall make it a priority to examine the technical and financial feasibility of sustaining, integrating and expanding public water systems, conservation and efficiency programs, wastewater systems and storm water systems of municipalities and the commonwealth, including regional or district systems. Further, the commission shall: (1) examine the water infrastructure needs of the commonwealth for the next 25 years as they relate to the funding gap between the water infrastructure needs of the commonwealth and the existing, available sources of funding; (2) develop mechanisms for additional funding for water infrastructure by increasing investment in critical water, wastewater, storm water and water conservation infrastructure; (3) provide mechanisms for improvements in the handling and management of water programs; (4) examine the potential threats to public health and public safety from the existing shortfalls in funding for water infrastructure; (5) examine and develop recommendations on ways in which the commonwealth and its municipalities may meet operation and maintenance, and capital improvement and

reconstruction needs for the next 25 years including, without limitation, recommendations regarding debt reduction, enhancing existing sources of revenues, developing new sources of revenues, establishing new incentives for public-private partnerships in the development of real property resources and funding resources; and (6) examine the expanded use of full accounting systems and enterprise funding, asset management systems and best management practices, compliance with chapter 21G of the General Laws and Massachusetts water policy, and current federal and state funding programs.

The commission shall examine the finances of the various municipalities and regional water districts, including state and federal aid levels, and make recommendations for improvements to financial policies and procedures. The commission shall identify areas where cost savings can be achieved across water agencies by consolidation, coordination and reorganization. The commission shall examine the projected federal funding, projected state funding, projected local funding, projected fee-based funding, debt financing and any other sources of projected funding to finance water infrastructure needs identified by the commission.

(d) The commission shall develop recommendations as to what funding or finance measures the commonwealth or its municipalities may pursue to satisfy any unmet funding needs identified by the commission. The recommendations shall also include any recommendation for interagency agreements, intermunicipal agreements, consolidations or mergers to enable the commonwealth and its municipalities to make the most effective use of water funding resources. The recommendations shall identify fair and equitable means of financing water infrastructure investments through taxes, fees, user charges or other sources.

(e) The commission may hold public hearings to assist in the collection and evaluation of data and testimony.

(f) The commission shall prepare a written report detailing its financials relative to identified funding sources and its recommendations, if any, together with drafts of legislation necessary to carry those recommendations into effect. The commission shall submit its initial report to the governor, the secretary of environmental affairs, the clerks of the senate and house of representatives, the house and senate committees on ways and

means and the joint committee on the environment not later than 2 years after the effective date of this act.

(g) Any research, analysis or other staff support that the commission reasonably requires shall be provided by the executive office of environmental affairs and its agencies, with assistance from the Massachusetts Water Resources Authority.

SECTION 21. The commissioner of environmental protection shall submit a report to the secretary of energy and environmental affairs and the joint committee on environment, natural resources and agriculture not later than April 1, 2009 with recommendations for further regulations that may be necessary to protect the ground and surface waters of the from proposed new withdrawals of water greater than 5,000 gallons per day from any water source for the purposes of bottling the water for retail sale.

SECTION 22. (a) The secretary of energy and environmental affairs shall promulgate regulations to define land eligible for certification under subsection (o) of section 6 of chapter 62 of the General Laws and under section 38X of chapter 63 of the General Laws. Such regulations shall be promulgated within 180 days after the effective date of this act.

(b) The secretary of environmental affairs shall, within 5 years after the effective date of this act, prepare a report to the joint committee on revenue and the joint committee on environment, natural resources and agriculture, describing the certified lands conserved under subsection (o) of section 6 of chapter 62 of the General Laws and section 38X of chapter 63 of the General Laws.

(c) The commissioner of revenue shall, in consultation with the secretary of energy and environmental affairs, promulgate regulations to administer subsection (o) of section 6 of chapter 62 of the General Laws and section 38X of chapter 63 of the General Laws. Such regulations shall include provisions to prevent the generation of multiple credits with respect to the same property. Regulations shall be promulgated within 180 days after the effective date of this act.

(d) The commissioner of revenue shall, within 5 years after the effective date of this act, submit a report to the joint committee on revenue and the joint committee on

environment, natural resources and agriculture, calculating the annual tax savings under subsection (o) of section 6 of chapter 62 of the General Laws and section 38X of chapter 63 of the General Laws.

(e) There shall be a commission to study the transferability of tax credits under subsection (o) of section 6 of chapter 62 of the General Laws and section 38X of chapter 63 of the General Laws. The commission shall be composed of 9 persons, including the commissioner of the department of agricultural resources, or his designee, who shall serve as chairman; the commissioner of revenue, or his designee; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 2 members of the senate, 1 of whom shall be appointed by the minority leader; a representative of the American Farmland Trust; a representative of the Massachusetts Audubon Society; and a representative of The Nature Conservancy. The commission shall examine all aspects of transferability including, but not limited to: the status of its application in other states, potential fiscal impacts and potential conservation benefits. The commission shall file a report of its findings and recommendations, including any drafts of legislation necessary to put its recommendations into effect, with the joint committee on revenue and the joint committee on environment, natural resources and agriculture on or before January 1, 2011.

SECTION 23. Nothing in sections 7, 8, or 22 of this act shall be construed to alter or amend any permitting requirements, reporting requirements, allocation procedures or other requirements set forth in any other provision of the General Laws.

#### **NO SECTION 24.**

SECTION 25. Subject to appropriation, the secretary of transportation and public works shall create a quiet zone assistance grant program. Any public authority eligible to apply for the creation of a quiet zone, as defined by the United States Secretary of Transportation pursuant to 49 U.S.C section 20153, may apply for a quiet zone assistance grant for financial aid for the improvements necessary to create said quiet zone. Eligible improvements must meet the standards specified by 49 USC 20153 and the United States secretary of transportation for quiet zones, and may include, but shall not be limited to, 4-quadrant gate systems, gates with medians or channelization devices, 1-way streets with

gates, photographic enforcement, programmed enforcements, and public education and awareness programs. Any public authority may be eligible for a quiet zone assistance grant up to 50 per cent of the total cost to implement a new quiet zone.

SECTION 26. (a) Notwithstanding sections 40E to 40J, inclusive of chapter 7 of the General Laws and any general or special law to the contrary, the commissioner of capital asset management and maintenance, in consultation with the commissioner of conservation and recreation, may grant to the city of Lowell or release such real property interests owned by the commonwealth as may be necessary to permit the city of Lowell to acquire fee interests, easements or other rights for an overhead bridge, pedestrian and vehicular bridges, utility services, and public highway purposes in, over and to certain parcels of land within the Lowell Heritage State Park. Such real property interests are currently in the care and control of the division of conservation and recreation and are held for recreation and conservation purposes. Fee interests and easements granted to the city and releases of real property interests may be located within such volumetric areas in the air rights above, and the subsurface areas below, such parcels of land as are necessary for such purposes. Such fee interests and easements may also include the right to displace the water in the canals within such parcels to install bridge supports and access for the maintenance, repair and replacement of the bridges and utility services. The areas and volumes of such fee interests, easements or releases shall be substantially as shown on a plan entitled "Easement Plan of Land Located in Lowell, Massachusetts (Middlesex County)" dated June 5, 2008, prepared by Meridian Associates, Inc. (Sheets 1 and 2). The fee interests, easements or releases are further described in subparagraphs (1) to (4), inclusive.

(1) Fee interests, easements or releases of interests held by the department of conservation and recreation in parcels A-1, A-2, A-3, A-4, B-1 and B-2 may be granted for the purpose of constructing, renovating and maintaining pedestrian and vehicular access bridges and utility services, and other public highway purposes over the Lower Pawtucket Canal.

(2) Fee interests, easements or releases of interests held by the department of conservation and recreation in Parcels E-1, E-2, F-1, F-2 and F-3 may be granted for the

purpose of constructing, renovating and maintaining pedestrian and vehicular access bridges and utility services, and other public highway purposes over the Hamilton Canal.

(3) Fee interests, easements or releases of interests held by the department of conservation and recreation in Parcels C-1, C-2, G-1 and G-2 may be granted for the purpose of constructing, renovating and maintaining pedestrian access structures and utility services and to provide public access from Jackson Street to the Appleton Mills Building.

(4) Fee interests, easements or releases of interests held by the department of conservation and recreation in Parcels D-1 and D-2 may be granted for the purpose of renovating and maintaining an existing overhead bridge from the Appleton Mills Building over Jackson Street.

(b) The commissioner of capital asset management and maintenance may make minor modifications to the plan if such modifications are necessary to carry out the purposes of this section.

(c) The consideration for the grants of fee interests, easements and releases described in subsection (a) shall be \$1. No instrument by or on behalf of the commonwealth, granting the fee interests or easements or releasing interests of the commonwealth as described in said subsection (a) shall be valid unless such instrument provides that the real property which is the subject of such grant of fee interest, easement or release shall be used solely for the purposes described in said subsection (a). Each grant of fee interest, easement or release shall stipulate that the real property interests granted or released shall revert to the commonwealth to the care and control of the division of conservation and recreation at the option of the commissioner of the division of capital asset management and maintenance if the property ceases to be used for the express purpose set forth in the grant or release instrument.

(d) The city of Lowell shall bear the cost of any surveys and other expenses deemed necessary by the commissioner of capital asset management and maintenance for the granting of fee interests, easements or releases pursuant to this section.

(e) To ensure a no-net-loss of lands protected for conservation and recreation purposes on account of the conveyances and releases authorized in this section, the grantee shall ensure that lands of equal or greater acreage and value, acceptable to the

department of conservation and recreation, are permanently protected for such purposes under the ownership of either the city of Lowell or the commonwealth following substantial completion of the project to which the conveyances or releases pertain.

SECTION 26A. (a). In this section, the term "Silver Maple Forest" shall refer to a property also known as the Belmont Uplands and comprised of Parcel 40-1 on the assessors' map of the town of Belmont and an adjoining triangular parcel in the city of Cambridge.

(b) Notwithstanding sections 40F to 40J of chapter 7 of the General Laws or any other general or special law to the contrary, the department of conservation and recreation may acquire, by deed, easement, restriction, covenant or condition, but not through eminent domain, the Silver Maple Forest.

(c) Within 90 days of the effective date of this act, the commissioner of conservation and recreation shall conduct an appraisal of the fair market value of the Silver Maple Forest.

(d) Within 120 days of the effective date of this act, the commissioner shall determine an amount that the commonwealth may allocate from any lawfully available funds for the purpose of acquiring the Silver Maple Forest. This amount shall be the state contribution.

(e) Upon determining the state contribution, the commissioner shall inform the board of selectman in the town of Belmont, the board of selectmen in the town of Arlington and the city council in the city of Cambridge, in this section called the local authorities, the results of the appraisal and the amount of the state contribution, if any.

(f) Within 120 days of the transmittal by the commissioner, the local authorities shall each certify, in language to be determined by the commissioner, the amount of funds under their control which are available for contribution towards the cost of the acquisition of the Silver Maple Forest by the commissioner. The funds may include funds appropriated by the appropriating bodies in the town of Arlington, the town of Belmont and the city of Cambridge and may also include private funds received by, or on behalf of, the local authorities and held in escrow for application towards the acquisition.



(g) If the amount of the funds so certified equals or exceeds the difference between the appraised fair market value of the property and the state contribution, and if the owner of the property enters into an agreement to convey the property for conservation purposes, the commissioner shall, upon receipt of the funds, forthwith consummate the acquisition; provided, however, that any deed conveying the parcel shall contain the restriction required under to subsection (h). If the amount of funds received does not equal or exceed the difference, this section shall become null and void.

(h) Notwithstanding any general or special law to the contrary, the property described in subsection (a) shall be conveyed subject to a conservation restriction imposed under section 31 of chapter 184 of the General Laws, for the preservation and protection of wildlife and habitat and passive public recreation and consistent purposes. The conservation restriction, if taken and not otherwise acquired, shall be subject to any easement or lesser interest in land held by any person or governmental agency, except for the owner, that lawfully exists and is recorded in the appropriate registry of deeds.

SECTION 26B. For the construction, reconstruction, installation, demolition, maintenance or repair of any building or roadway by the commonwealth, or a political subdivision thereof, or by any county, city, town, district or housing authority.

The developer shall include in its application to the appointing authority whether the developer has contracts with labor organizations or a provision assuring labor harmony during all phases of such construction, installation, demolition, maintenance or repair of the development.

The developer and all subcontractors shall furnish to the appointing authority, documentation showing all employees employed on the project have hospitalization and medical benefits that meet the minimum requirements of the connector board established in chapter 176Q of the General Laws.

The developer and all subcontractors shall properly classify individuals employed on the project as employees rather than independent contractors and comply with all laws concerning workers compensation insurance coverage, unemployment insurance, social security taxes and income taxes as respects all such employees.

2654           The developer and all subcontractors shall furnish to the appointing authority,  
2655 documentation showing compliance with chapter 30C of the General Laws.

2656  
2657           SECTION 27. The secretary of administration and finance in conjunction with  
2658 the secretary of energy and environmental affairs shall submit a report on the progress of,  
2659 and all expenditures related to the projects specified in this act and any other projects  
2660 funded through the authorizations in this act to the clerks of the senate and house of  
2661 representatives, the chairs of the senate and house committees on ways and means, the  
2662 chairs of the joint committee on environment, natural resources and agriculture and the  
2663 senate and house chairs of the joint committee on bonding, capital expenditures and state  
2664 assets. The report shall include, but not be limited to: the total amount appropriated for  
2665 each project, the total estimated cost of each project, the amount expended for the  
2666 planning and design of each project up to the time the report is filed, the amount  
2667 expended on construction of each project up to the time the report is filed, the total  
2668 amount currently expended on each project, the original estimated completion date of  
2669 each project, the current anticipated completion date of each project and, if the project  
2670 has been de-authorized, the reason for and date of de-authorization. The report shall be  
2671 submitted on June 30 and December 31 of each year for a period of 8 years after the  
2672 effective date of this act.

2673  
2674           SECTION 27A. Notwithstanding any general or special law to the contrary, the  
2675 department of highways may expend not more than \$5,000,000 for a pilot program to  
2676 study the effectiveness of the structural health monitoring of bridges and tunnels through  
2677 electronic means.

2678  
2679           SECTION 27B. Notwithstanding any general law or special law to the contrary,  
2680 the uses permitted in the management and use agreement dated July 23, 2004, between  
2681 the department of conservation and recreation and Kids Replica Ballpark, Inc. on land  
2682 authorized and designated under chapter 275 of the acts of 1998, shall be deemed an  
2683 overriding public interest within the meaning of 314 CMR 9.08, provided that the United  
2684 States. Army Corp of Engineers determines that a section 404 permit is not required

2685

2686           SECTION 27C. Notwithstanding any general or special law or rule or regulation  
2687 to the contrary, a certain parcel of land located on the northerly side of Medford street in  
2688 the Charlestown section of the city of Boston shall be eliminated as a Designated Port  
2689 Area under 301 C.M.R. 25 and 310 C.M.R. 9 and any other applicable provision of the  
2690 Code of Massachusetts Regulations. The property, located at 465 Medford street in the  
2691 Charlestown section of the city of Boston and registered under certificate of title number  
2692 111502 in the Suffolk county registry of deeds, is comprised of 3 parcels described in the  
2693 certificate and shown on plans 3503-A, 6246-A and 9147-A on file with the Suffolk  
2694 registry district of the land court.

2695

2696           SECTION 27D. Sections 2 and 3 of chapter 30C of the General Laws shall apply  
2697 as follows:

2698           (1) from September 1, 2008, to August 31, 2009, to public employers, contractors  
2699 or subcontractors with 500 or more employees;

2700           (2) from September 1, 2009, to August 31, 2010, to public employers, contractors  
2701 or subcontractors with 100 or more employees; and

2702           (3) on and after September 1, 2010, to all public employers, contractors and  
2703 subcontractors.

2704

2705           SECTION 28. Sections 7 and 8 shall be effective for tax years beginning on and  
2706 after January 1, 2010.

2707

2708           SECTION 29. Section 19 shall take effect 90 days after the effective date of this  
2709 act.